

Planning Commission Staff Report

April 9, 2020

Item 3

Applicant: David &

Michele Broadbent

Location: 1255 S & 1500 E

Prepared by: Sean Conroy,
Community Development
Director

Public Hearing: No

Zone: A-2, CE-1

Attachments:

1. Application
Materials.
2. Correspondence.
3. Inspection checklist.

REQUEST

Consideration of a request for a Conditional Use Permit to operate an existing single-family residence as a short-term vacation rental located at 1255 South and 1500 East in the Agricultural-Residential (A-2) Critical Environment (CE-1) zones.

BACKGROUND AND PROJECT DESCRIPTION

The subject property is just under 6 acres in size and includes both A-2 and CE-1 zoning. The property is developed with a five-bedroom single family dwelling that is approximately 3,778 square feet in size, and a 1,100 square foot, three-bedroom cottage. The site also includes two ponds, one of which is entirely on the applicant's property and another that is only partially on the applicant's property, a small amphitheater and two pavilions. The property does not have frontage on a City street but does have access easements and a driveway that crosses two adjacent properties to the south (Rocking O Ranch & Mapleton Pond) and connects to 1600 South.

On August 11, 2016 the Planning Commission reviewed a request for a conditional use permit application to operate the property as a short-term rental. Prior to the meeting, concerns regarding the access easement were raised by an adjacent property owner (Rocking O Ranch). Based on these concerns, the Planning Commission continued the application.

On June 12, 2019 a new access easement was recorded that appears to have resolved the access concerns across the Rocking O Ranch property. On February 21, 2020 the applicant requested that the Planning Commission again consider the conditional use permit application. The applicant is also proposing to add on to the existing residence that would increase the total size of the living space to 11,363 square feet with a total of 14 bedrooms. The existing cottage will remain at approximately 1,100 square feet with three bedrooms for a total square footage of 12,463.

EVALUATION

Planning Commission Review: Mapleton City Code (MCC) 18.28.040 identifies short-term rental property as a condition use in the A-2 zone. A conditional use permit is considered an administrative permit. Utah Code section 10-9a-507 states the following regarding conditional use permit review:

*“A land use authority **shall** approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.” (emphasis added)*

In other words, unless there are reasonably anticipated detrimental effects that cannot be mitigated, and/or the proposal is not in compliance with adopted standards, the conditional use permit must be approved. Special conditions, however, can be added when necessary to mitigate reasonably anticipated detrimental effects.

General Plan and A-2 Zone: The subject property has both a Rural Residential (RR) and Critical Environmental (CE) land use designations. The RR category is intended for areas with open fields, farms and large residential lots. The RR designation discourages uses that would impede environmental protection and agricultural uses. The CE designation is meant to protect environmentally sensitive areas and to limit development. Finally, goal #7 of the Land Use Element encourages preserving a peaceful, country, rural atmosphere.

MCC Section 18.28.010 outlines the purpose and objective of the A-2 zone as follows:

*“A-2 zone is established to provide areas in which agricultural pursuits can be encouraged and supported within the municipality. The A-2 zone is designed and intended to protect agricultural uses from encroachment of typical urban development. Uses permitted in the A-2 zone, in addition to agricultural and residential uses, **must be incidental there to and should not change the basic agricultural character of the zone**” (emphasis added).*

As the Commission reviews this application, it is important to keep the guidance from the General Plan and the A-2 zone in mind.

Zoning Standards: MCC Chapter 18.28.040 outlines several requirements that apply to short term rentals. These requirements are outlined below followed by a brief response from staff.

A. The rental shall be located on a legal lot of record of five (5) acres in size or larger;

Response: The project site exceeds the minimum lot size of five acres. In 2002, the City issued a letter to the property owner indicating that the lot was a legal non-conforming lot of record.

B. The property is developed or will be developed with a single-family residence that has received proper building permit approvals.

Response: Building permits are on file dating back to 1977 for the main residence. There is no evidence in the file of any original permit for the cottage. However, a permit was issued for some interior remodeling a few years ago.

The applicant is proposing to make substantial additions to the existing residence, but has not yet submitted a building permit application for those additions. Preliminary floor plans have been included as an attachment to this report. The ordinance doesn't require that the additions be built prior to approval of the conditional use permit, but it does require the building permits to be approved. The Commission could continue the application until the building permits have been approved, or approve the application with the condition that building permits be obtained prior to operation.

One reason it would be important to have the building permits approved prior to issuance of the conditional use permit would be to ensure that the proper occupancy and parking requirements are finalized.

- C. Off street parking shall be provided to include two (2) parking spaces for the residence and one (1) additional space for each guest room. A site plan shall be submitted with the proposed parking plan.*

Response: As proposed, the main residence would include 14 bedrooms and the cottage includes three bedrooms. This would require 19 parking spaces. The site has approximately 20 paved parking spaces currently with the ability to accommodate more in unpaved areas. The applicant has submitted photos of the parking areas but not a site plan. While staff is not concerned with the ability of the applicant to accommodate the required parking on site, it would be important for the Commission to see and review the final site plan prior to approval of the conditional use permit.

- D. A business license shall be required.*

Response: If the Commission approves the Conditional Use Permit, the applicant would then be required to apply for a business license.

- E. A building and fire inspection shall be required prior to issuance of a business license. Additional safety requirements may be imposed above those typically required for a single-family dwelling. A checklist of inspection items shall be provided to the applicant prior to the inspection.*

Response: Staff has provided the attached inspection checklist to the applicant. Prior to the issuance of the business license, a building and fire inspection will be required. The building official and the fire department have reviewed the preliminary plans as well as the existing access. The Fire Department is requesting that the driveway on the applicant's property be expanded to 20 feet in width and that an emergency turnaround be installed. These should be shown on the site plan that gets submitted as required by subsection "C" above.

- F. All short-term residential rental properties shall be subject to the municipality transient room tax as allowed under Utah Code.*

Response: The applicant is required to file with the Utah State Tax Commission and pay all required taxes. Most of the online services such as VRBO and AirBnB automatically collect the applicable taxes and send them to the state.

- G. Failure to comply with the standards of this section and/or conducting the short-term rental property in a manner constituting or conducive to a breach of the public peace or a menace to the public health, safety, morals or welfare may result in a revocation of the conditional use permit by the planning commission.*

Response: The applicants will be required to follow the disturbing the peace ordinance and other nuisance standards. If the applicant is found to be in violation of these standards, staff can schedule the application with the Planning Commission to establish additional conditions or to revoke the permit. Staff is concerned about the potential for disturbing the peace and other potential nuisance issues if the applicant is permitted to have 40 or more occupants as requested. Staff is also concerned about use of the shared pond. These concerns are addressed in more detail later in this report.

H. The property shall be rented as a single unit. Individual rooms may not be rented separately.

Response: The applicant has indicated that it is their intent to rent the property as a single unit. Staff addresses the use of the cottage in more detail below.

I. All rental contracts shall require a minimum of stay of two (2) consecutive nights.

Response: The applicant has indicated that they intend to rent it for a least two consecutive nights.

J. All short term residential rental properties shall designate a local property manager. The local property manager shall be available twenty four (24) hours per day to respond to tenant and neighborhood questions or concerns. Each short term residential rental property shall have a clearly visible sign within the unit containing the name and phone number of the local property manager.

Response: The applicant will act as the local property manager that will be available to address complaints and other issues that may arise.

K. No on-site camping shall be permitted (i.e. tents, RV's, campers, etc.). All tenants shall utilize the indoor sleeping accommodations provided with the rental.

Response: This condition will help limit the allowed occupancy by precluding the use of the outdoor areas for camping, which will also help avoid unnecessary noise impacts on neighboring properties.

L. The owner and property manager shall be jointly and severally liable for any violations of this article. Any rental dwelling unit which is found in violation of this article or any other requirement of this code may be subject to revocation of the short term residential rental property's business license and the conditional use permit.

Response: This requirement is meant to ensure that the property manager and the property owner (if different) are accountable to ensure that the regulations of the ordinance are being followed.

M. The applicant shall agree, at its sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any appeal, claim, suit or other legal proceeding related to the short-term residential rental property approval.

Response: This requirement protects the City against any claims that may result from the approval of a short-term rental license.

Occupancy: The conditional use permit standards do not specifically address occupancy limitations. The building code limits occupancy in residential structures to one occupant per 200 square feet of living space, or 62 occupants based on the applicant's proposal. The applicant has indicated that they intend the maximum occupancy to be 40 people.

Staff notes that 40 occupants for the property is significantly higher than the average household size for Mapleton City, which is 3.85 according to the U.S. Census Bureau. It can be reasonably anticipated that with ten times the normal occupancy limit for a single-family dwelling, that the potential for impacts on adjacent residents such as noise, traffic, trespass, etc. would be significantly greater for the proposed use. These potential impacts also would conflict with the goal of the General Plan to maintain a peaceful, country, rural atmosphere as well as impact the agricultural character of the A-2 zone.

In order to mitigate and avoid reasonably anticipated detrimental impacts, staff is recommending that the occupancy limit be set at no more the two occupants per bedroom. Based on this recommendation, the maximum occupancy for the main residence would be 28 and the maximum occupancy for the cottage would be six, for a total of 34. Staff would also recommend that no more than 19 cars be allowed on site at any one time (the number of required parking spaces).

Shared Pond: The subject property, the property to the south also owned by the applicants and the property to the west include a portion of an existing pond. The property lines run through the pond from north to south. The applicant owns approximately 25% of the pond and the adjacent owner to the west owns approximately 75%.

The applicant has indicated that they would prohibit occupants from swimming, kayaking or otherwise entering the water of the shared pond unless an agreement for a more expansive use was reached with the adjacent neighbor. Staff supports this solution.

Cottage: The cottage is not considered an accessory apartment, meaning it cannot be rented or occupied separately from the main residence. Accessory apartments also require that the owner occupy one of the units as their primary dwelling. Therefore, since the cottage has not been approved as an accessory apartment and neither of the units on site will be occupied by the owner as their primary dwelling, the cottage must either be rented together with the main residence or not occupied at all. The owner could not rent out the main residence and then stay in the cottage.

Options: The Planning Commission may consider the following options:

- 1) Deny the application because the building permits for the proposed additions have not been obtained.
- 2) Continue the application with a request that the applicant obtain the necessary building permits and submits a final site plan for the project. If the Commission continues the

application, it should provide some guidance on occupancy limitations, if any, so the applicant can know what will be expected.

- 3) Approve the application. If the Commission approves the application, it may include special conditions to address reasonably anticipated detrimental impacts. Staff will be prepared to provide guidance on special conditions if the Commission determines to approve the application.

STAFF RECOMMENDATION

Continue the application with a request that the applicant obtain all necessary building permits for the project and submit a final site plan showing all proposed parking and fire access improvements.

Attachment "1"

Application Materials

Date: February 21, 2020

To: Mapleton Planning Commission

From: David H Broadbent

RE: Application for short term rental permit

Purpose: David Broadbent is applying for a Short-Term rental permit to rent the Broadbent house and Cottage at 1255 S. 1500 E. Mapleton, Utah, for a minimum 2 night rental.

Description of the home:

The Home will be 8147 square feet (plans included) and the Cottage is approximately 1000 square feet. Both the Home and cottage are located almost 2 blocks from a public road and are separated from other properties by fields and fences. The location is very private and secluded.

Parking: There are 20 paved parking spots for the Home and Cottage and plans for another 10 spaces. Additionally, there are several areas of unpaved parking available. No public areas would be used for parking.

Inside Amenities: The Home will have 10 bedrooms and 8 bathrooms and a potential manager's apartment that has 2 bedrooms and a bath. The cottage has 3 bedrooms and a bathroom.

Outdoor Amenities: The property has 3 outdoor kitchens, 5 firepits, 2 pavilions, and an amphitheater. The Home and Cottage are situated on over 5 acres, with direct access to forest service land and hiking trails. There are 2 large ponds (1 shared) on the property which provide canoeing, kayaking, swimming, and fishing. There is a soccer field size grassy area, a children's beach, a pirate ship, and children's play house.

Not Allowed on the Property:

1. Rentals for less than 2 consecutive nights.
2. On-site Camping.
3. Loud Noises between 10:00 PM and 7:00 AM. Guests will be instructed verbally and in writing that they are subject to eviction if they violate the noise provision. Guest may not bring any sound outside sound systems onto the property.
4. Outside Four wheelers, motorcycles, snowmobiles, or other off-road vehicles.

Property Manager: David Broadbent (or a substitute) will be available 24/7 to take care of any issues that arise. His contact information will be posted inside the Home and Cottage, and neighbors will be given his telephone number to call if there are any issues.

MAPLETON CITY RECEPTION CENTER USE QUESTIONNAIRE

1. Is your property at least 5 acres in size? yes
2. How many dwelling units are on the site that would be rented and how many bedrooms in each? Large House 10 Bedrooms 34 maximum
Cottage 3 Bedrooms 8 maximum total 40 people
3. What do you anticipate the maximum occupancy to be? 40 maximum
4. How often do you anticipate renting the property? The big house as much as possible. The Cottage Rarely
5. Will you have a local property manager that will be available 24 hrs a day to respond to tenant, neighbor or City complaints? We live in Orem and often stay in the Cottage
6. How will you ensure that renters are respectful of neighboring property owners and will obey the City's Disturbing the Peace Ordinance (see attached)? If there is no access to anyone's property. Disturbing the Peace ordinance will be part of their contract.
7. How will parking be accommodated (please include a site plan)? 15 parking spots for the big house and 5 parking spots for Cottage
8. Are you proposing any signage? If yes, please provide a signage plan (location, size, text, etc.). There are speed bumps in place. Speed limit posted on entrance. Don't Drive on Grass
9. Have you read and do you understand the attached Disturbing the Peace Ordinance, Short-Term Rental Ordinance and the Short-Term Rental Inspection Checklist? yes



Broadbent Properties

Mapleton Pond
Property

Rocking O Ranch
Property

Access easements/
shared driveway

1600 South

87:0027:00001

1456 E 19th St, 11th Fl, 67.027-0001

1456 E 19th St, 11th Fl, 67.027-0001

1456 E 19th St, 11th Fl, 67.027-0001

1300.83

46.509.0006

Main Residence

Accessory Unit

Upper pond

Shared Pond

26.073.0094

46.509.0008

26.073.0094

Shared Pond



Surface Parking - 10+ spaces



Main Residence with 3 spaces in garage



Surface parking with 3+ spaces

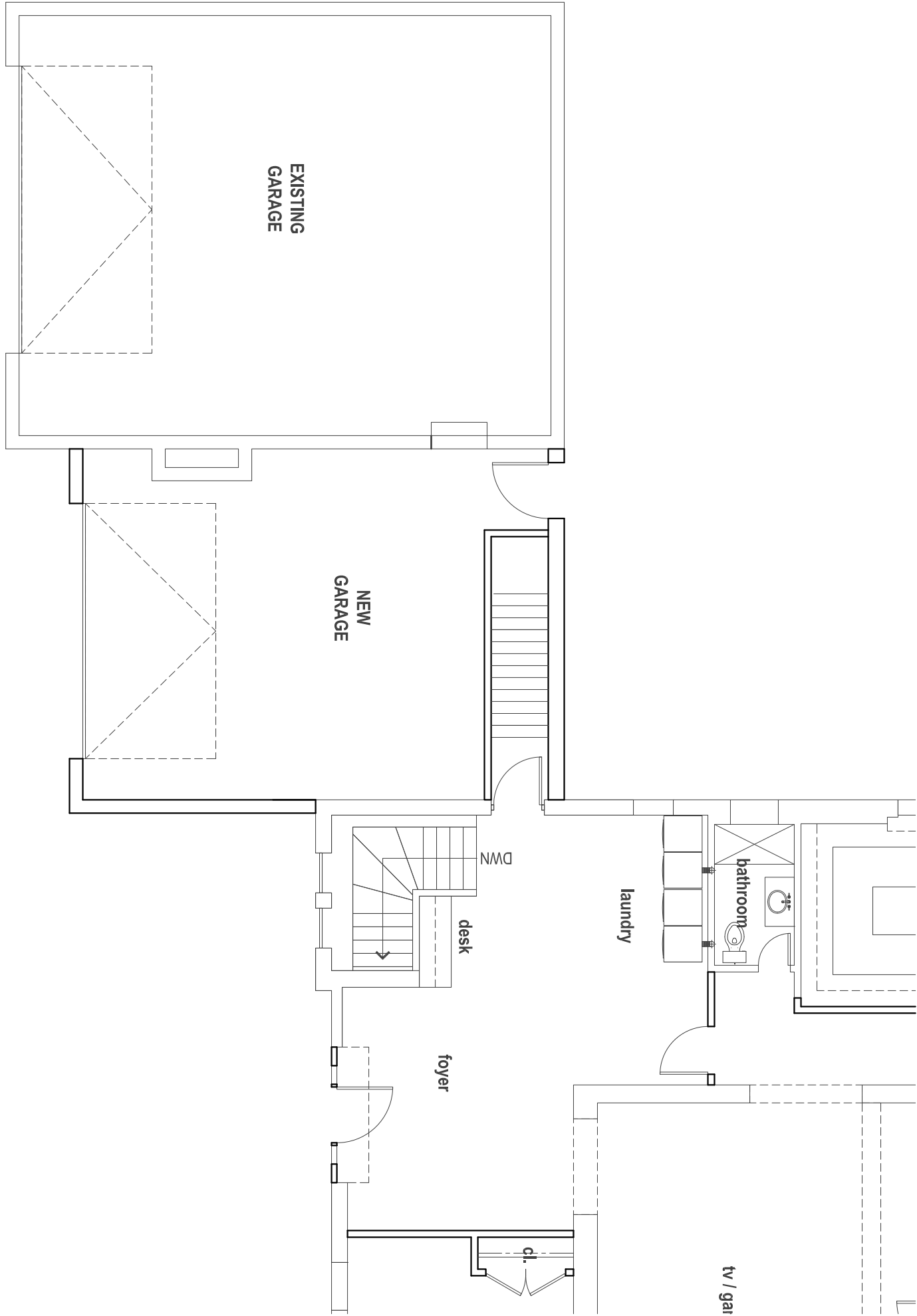


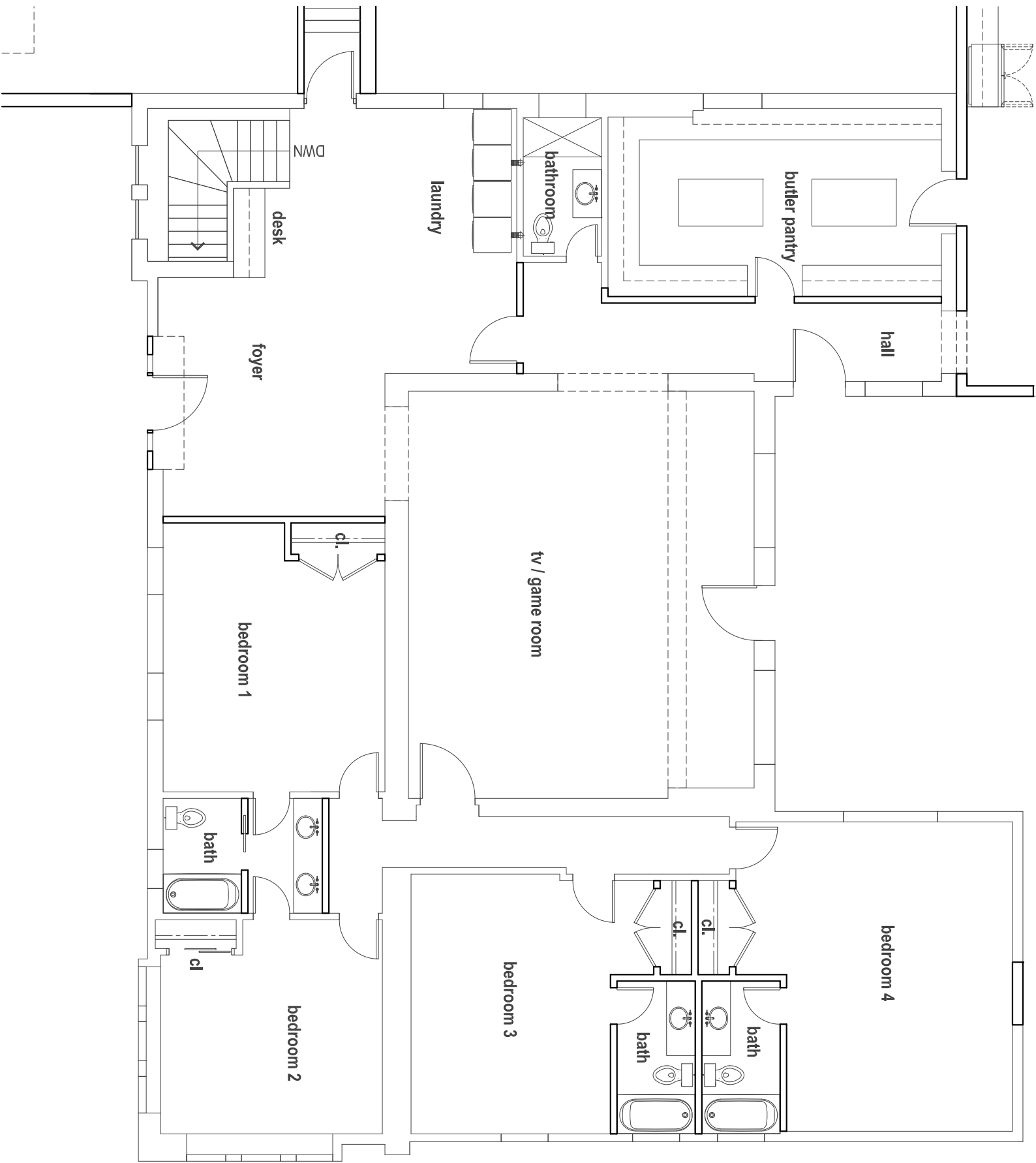
Accessory Unit with 4+ parking spaces



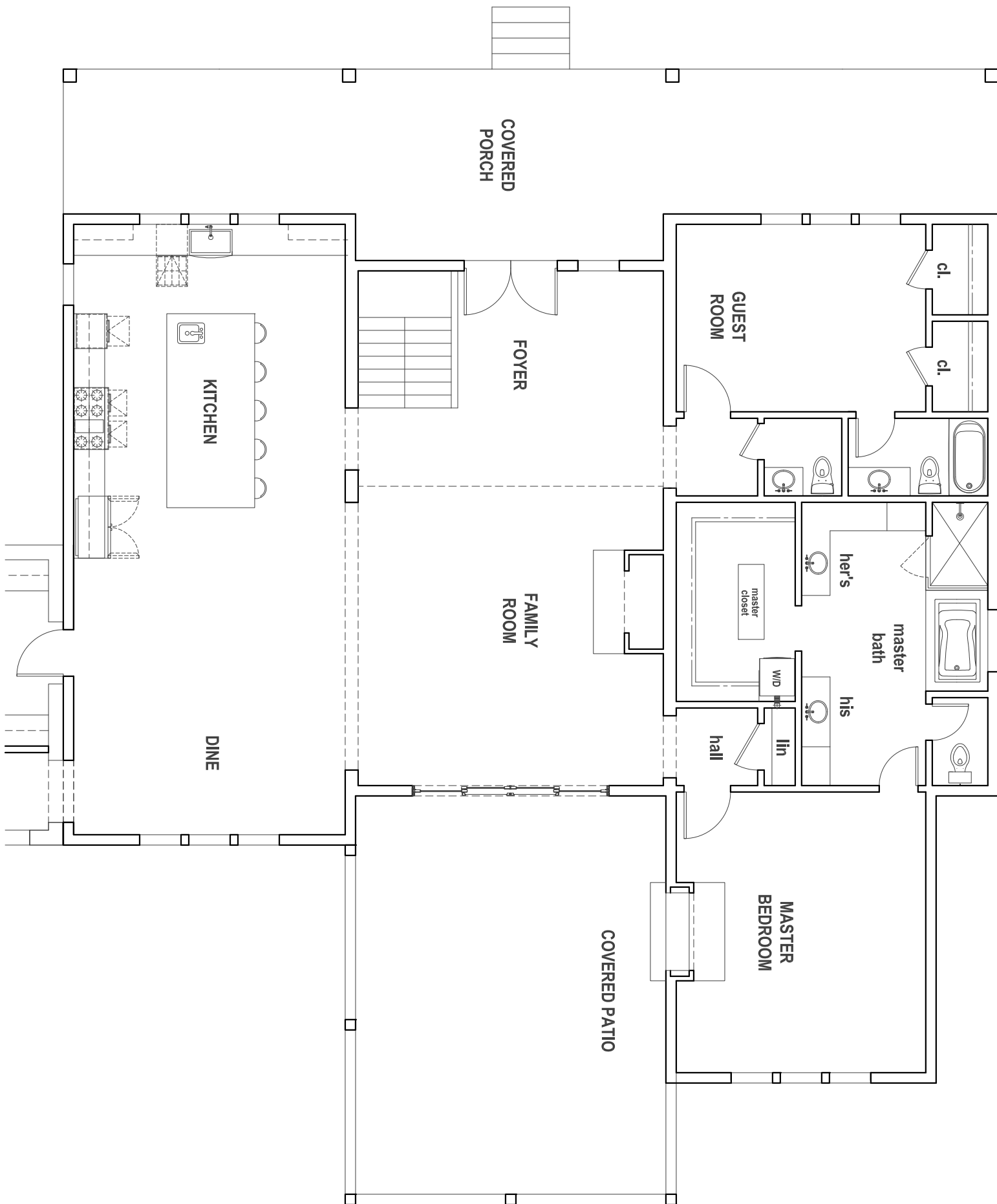


Existing and New Gargage



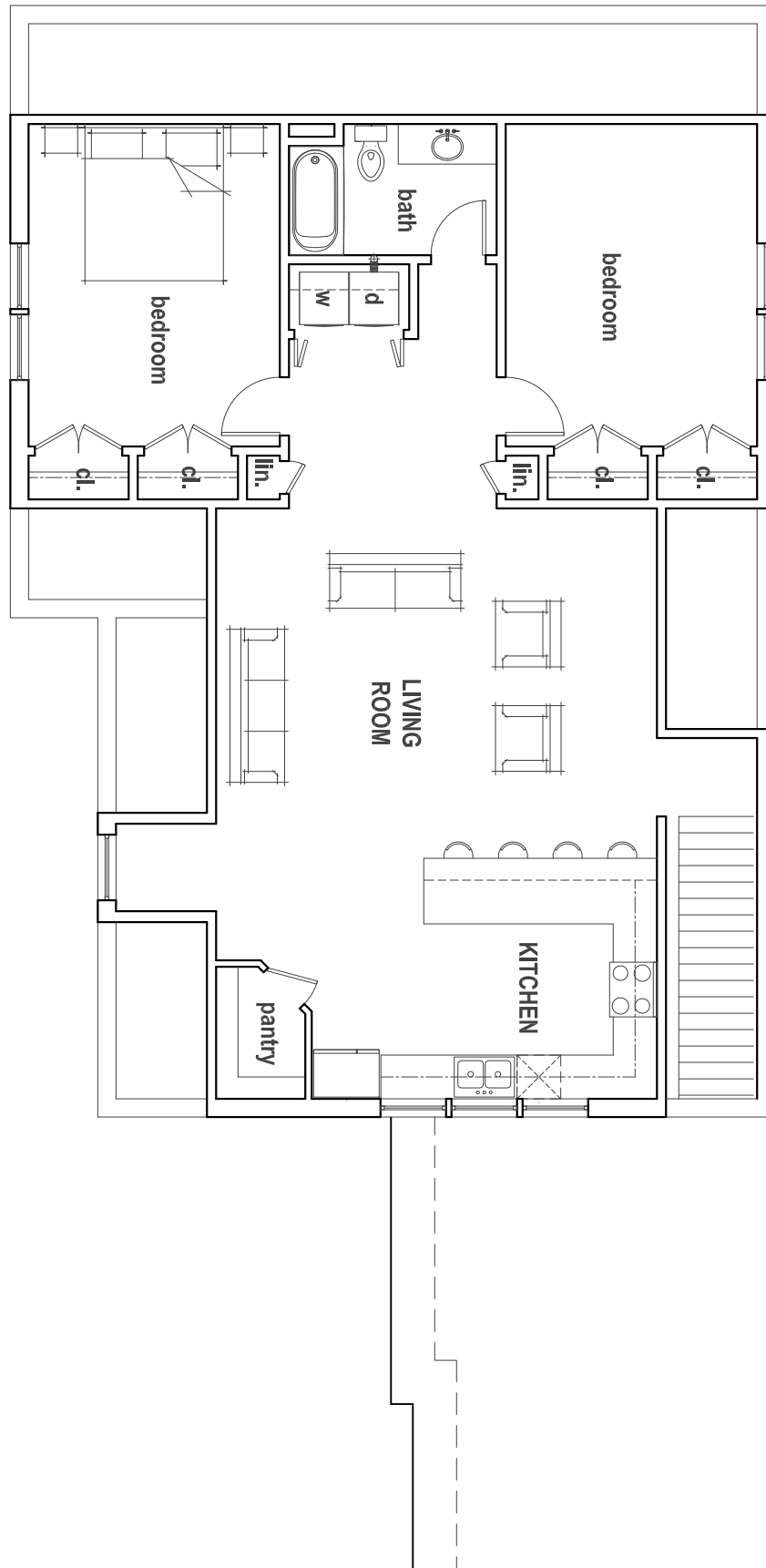


Existing/Remodel Main Level

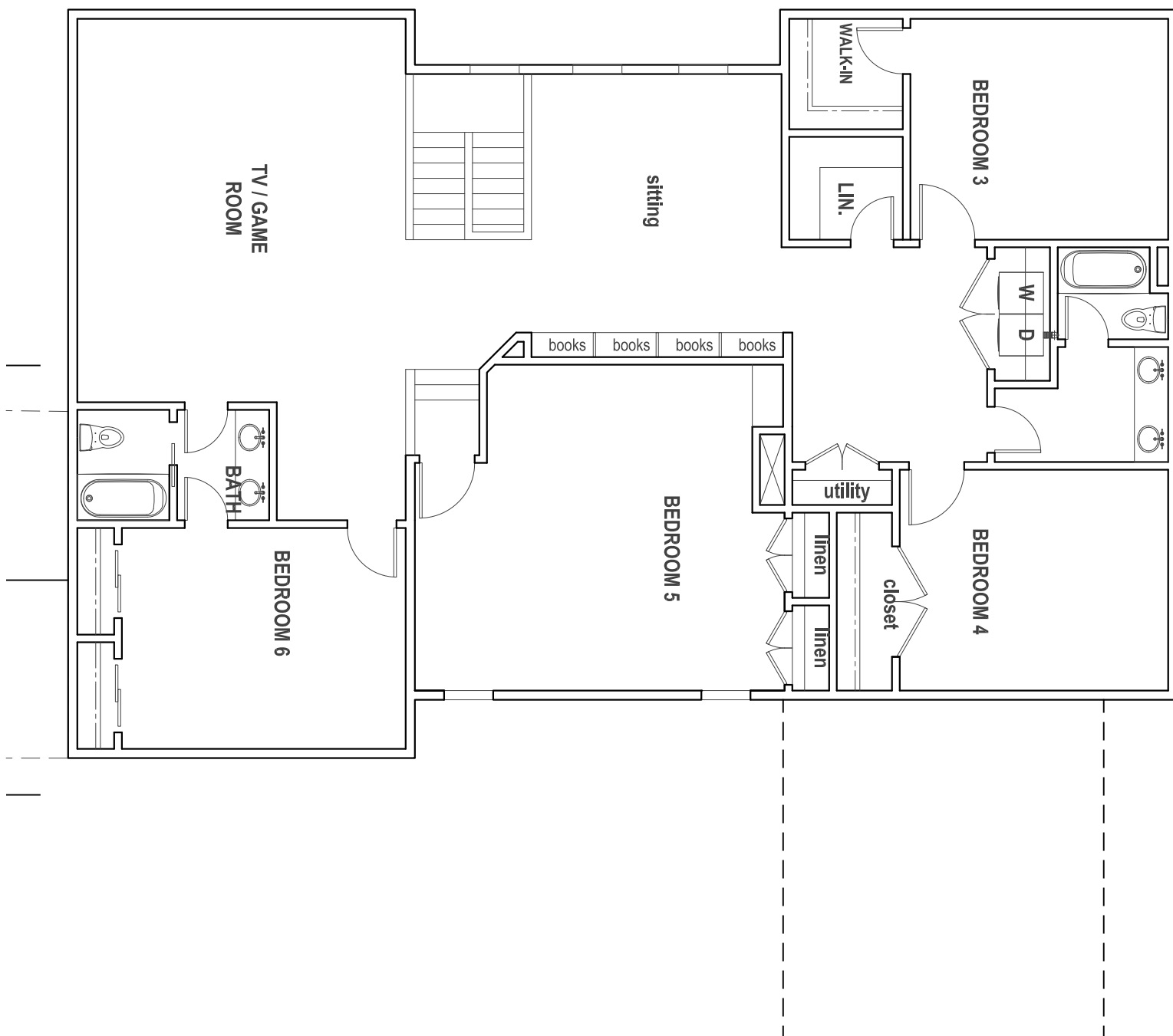


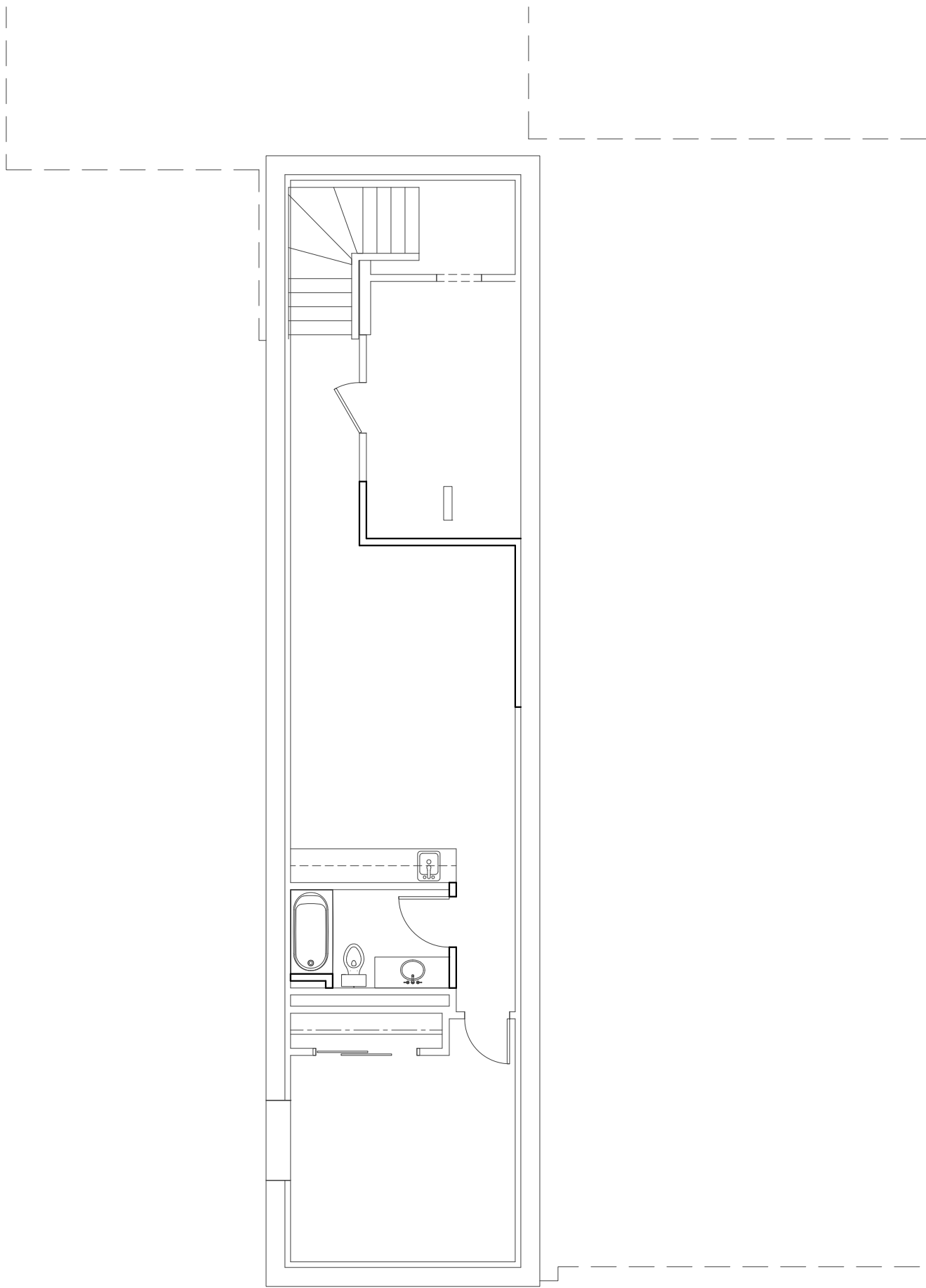
Main Level Addition

2nd Story Addition above Gargage



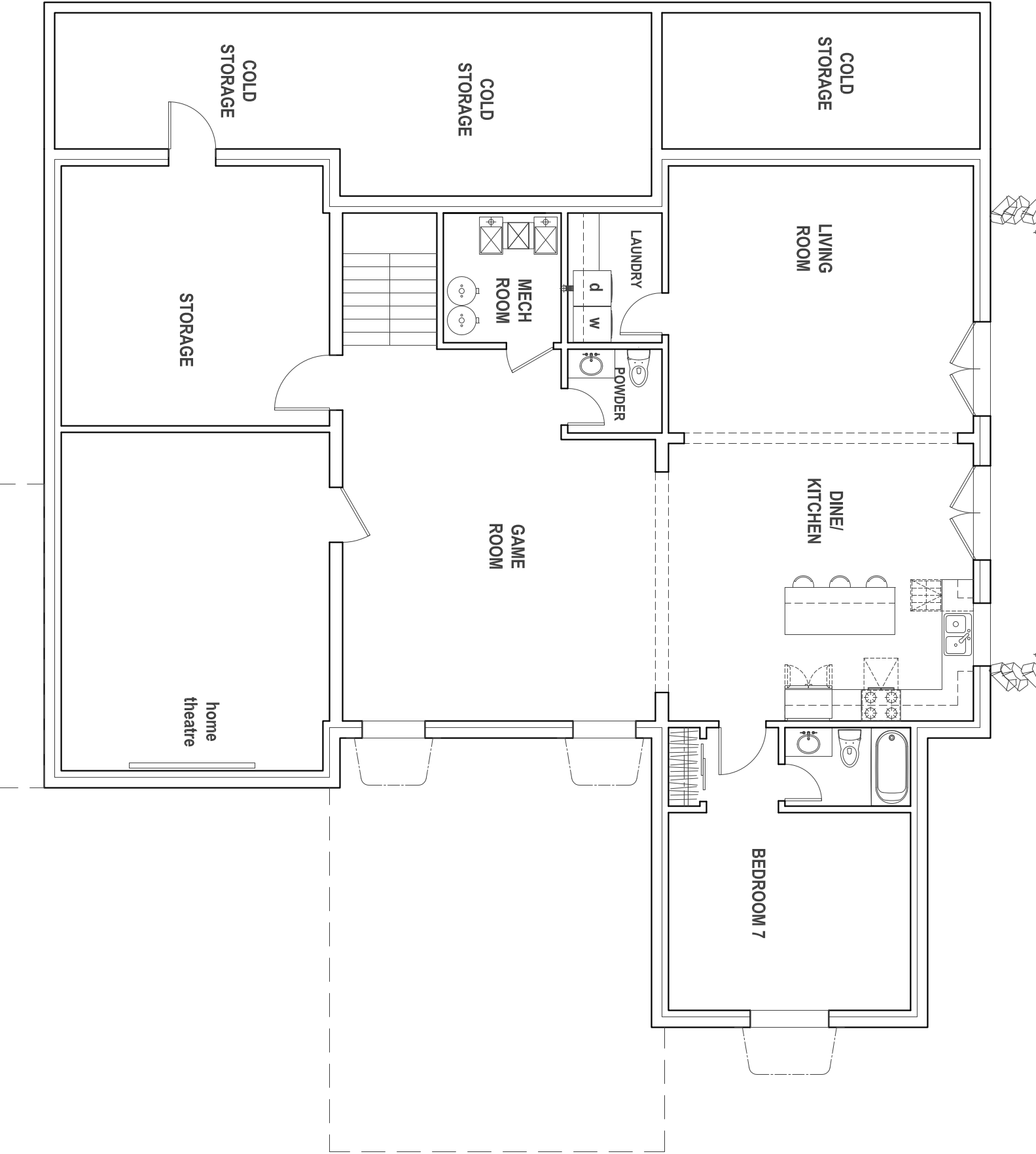
2nd Story Addition





Existing Basement

Basement Addition



Attachment "2" - Correspondence

Sean Conroy

From: Christopher ·
Sent: Wednesday, March 04, 2020 11:04 PM
To: Sean Conroy
Cc: Dad
Subject: Short term rental permit

To Whom it May Concern:

It is my understanding that Dave Broadbent has submitted a request for a short-term rental permit for his property on Mapleton Pond near 1600 South and 1200 East. As the owner of the adjacent property I would like to request this permit be permanently or temporarily withheld for 2 reasons:

1) There is an easement that runs through our property that was granted with the intention of it being for private use by the Broadbent family and not for use by a potentially high volume of short-term renters. When the easement was granted, the city ordinance allowing short term rentals did not exist, therefore it was impossible to anticipate the easement would be used for this purpose. We would like to work this out with Dave Broadbent before final approval.

2) There is not a clearly defined boundary through the shared pond. I am concerned that use of this pond by short-term renters would leave us open to unwanted liability and unregulated use of our property.

If the permit is approved, we would recommend several stipulations for use of the easement:

- A) No more than 4 cars on the property at any given time
- B) Renters be expressly informed they are not allowed onto the adjacent properties without written permission from the owners
- C) All personal liability be assumed by Dave Broadbent if a renter is injured or drowned while using the pond.

Thank you for your consideration.

Stan Ricks And Christopher Ricks
801-361-4335

March 11, 2020

Dear Sean;

I read through your staff report and we will change the stairs to the living space over the garage. The report you did has some inaccuracies. The present house has about 3778 square feet living space. The addition with the basement, main floor and upstairs will add 6345 square feet of living space. The addition over the garage will add 1240 square feet living space. Those totaled together are 11363 square feet of living space. The cottage has 1100 square feet and 2 bedrooms and 1 bunk room of 4 beds. Total living space for both structures will be 12463. My daughter works in the attorney general's office for the state of Utah and she looked up the proceedings of the short-term rental granted to Neumelka and there were no such restrictions placed on the number of people he could rent to. She said that **the city cannot discriminate against me when this was not done to previous applications**. If you divide this by 200 square feet, we would qualify for 62 people. There are presently 3 bedrooms on the main floor of the old house and we will be adding one more. There is also one bedroom in the basement. The new living space over the garage will add two more. The basement of the new addition will have one bedroom, the main floor will add two more and the upstairs of the new floor will add 3 bedrooms and one bunk room. The bunk room could easily sleep 8 children. Total bedrooms in the main house will be 13 bedrooms and 1 bunk room. The master bedroom in the old house can easily sleep 2 queens or 4 people. So, 12 bedrooms at 2 each would be 24 people. 1 bedroom a 4 people and 1 bunk room at 8 people would make a total of 36 people. Add 8 people from the cottage and we would have 44 people. We only asked for 40.

Second issue of the pond usage. If you look at the map the northern parcel has only a small portion of the pond in its boundaries. Most of the pond boundary is in the JB Brookside ranch parcel. The northern parcel has its own pond and doesn't require the usage of the lower pond. We will simply not allow renters to use the lower pond except for fishing off its banks. Therefore, no renter will be ever going into there property and the pond is not an issue.

Finally, Stan Ricks claimed said in his letter the when he signed an easement that he never intended to allow a short-term rental. Stan did not grant us an easement, he simple acknowledged an easement that was already there when he purchased the land from my father. Part of the land involved in this permit was purchased by my grandfather around 1905. The property has since 1905 always be accessed from the south the way it is today. The road was built in 1955 and I have personally used it since that time. Stan purchased his property in the late 80's or early 90's. There have never been any restrictions on that road in Stan's portion. The access to that property has been in use for 115 years and Stan can not suddenly place his impose restrictions that have never existed because he doesn't want me to have a short-term rental.

I

Response to petition by David Broadbent for conditional use permit for short term rental for his property at 1255 S 1500 E in Mapleton

There are several serious reasons this petition should be denied.

1. **Granting this petition would create the potential for an emergency evacuation disaster.** Access to this home is by way of a long, very narrow, one lane road. The petition asks for up to 20 guests at a time at this property.
 - a. If there were a fire in the house or in the trees on the property (adults talking and kids left unattended . . .) there would be many cars trying to exit the property when emergency vehicles were trying to enter. There is **no** place on the road where two vehicles can pass each other. This could result in a very tragic situation – and the media would have a circus investigating why this situation was allowed.
 - b. If we had a mild earthquake while the property was occupied and the hill side next to the property shifted and covered the road, there would be no way for the guests to exit the property.
2. **Granting this petition would violate the Mapleton Vision Statement.** The Mapleton Vision Statement states that Mapleton City is a “unique community retaining a peaceful, country atmosphere through rural master planning . . . promote family values and community effort in order to maintain safe and friendly neighborhoods.”
 - a. Allowing a home to be used as a hotel does not promote “a peaceful, country atmosphere,” and does not “promote family values . . . in order to maintain safe and friendly neighborhoods.” Allowing large groups of strangers to come in and out of a neighborhood house, several times a week, absolutely does not promote a safe and friendly neighborhood.
3. **Granting this petition would violate Mapleton City Code.** According to section 16.01.040(A) of the Mapleton City code, “an applicant is entitled to approval of a land use application . . . unless, 1) the applicable land use authority, on the record, finds that a compelling, countervailing public interest would be jeopardized by approving the application.”
 - a. There is a strong public interest in keeping Mapleton a family friendly community. Turning a neighborhood home into a mini-hotel does not support our effort for a safe and friendly neighborhood.
 - b. Currently there are 8 Mapleton houses available for short term rental, listed on Airbnb. I am sure that the vast majority of Mapleton residents are against this trend.

Sincerely,

Ann & Dennis Tolley
1317 E 1500 S
Mapleton, UT
(801)491-8385
anntolley@gmail.com

Received 3/12/20

Because I live so close to the Broadbent's property, I will recuse myself from voting on the Broadbent application. However, I have a few concerns related to this application that I would like to share. As it stands right now the planning committee **should not approve the application**, because it does not meet the following two criteria:

1. the proposal is not in compliance with adopted standards
2. there are reasonably anticipated detrimental effects that need to be mitigated

In order to move forward with approval of the Broadbent's application, criteria (1) would first need to be addressed, and then special conditions would need to be met in order to mitigate the reasonably anticipated detrimental effects of criteria (2).

Related to criteria (1).

In order to receive a conditional use permit for a short term residential rental property, city code requires compliance with the following:

Zoning Standards: MCC Chapter 18.28.040

B. The property is developed or will be developed with a single-family residence that has received proper building permit approvals.

City code requires that if the property is to be developed for a single-family residence (in this case, an addition to the existing house), **a proper building permit has to be approved prior to applying for a conditional use permit**. The application we are considering, as indicated by staff, **has not yet received a proper building permit for the addition** he is asking the committee to consider as part of the conditional use. Therefore, it would be reckless and inappropriate to approve this permit until the applicant meets the requirement of this code. For this reason, I respectfully disagree with staff and would recommend that **the committee deny the application received February 21, 2020**. Furthermore, if the Broadbents are not interested in revisiting the original application submitted August 11, 2016 it should be closed and any future application would be considered independently from all prior applications.

Related to criteria (2).

There is another unsettling implication related to this application that I think the planning committee should address. The application seems to convey an entitlement to a higher occupancy by virtue of an increase in the square footage of the existing house. Staff takes time to address this in their report. **How this application is handled could set a damaging precedent in how the short term rental ordinance is used, leading to a "hotelization" of our residential communities.**

The code for short term rentals states: "The property is developed or will be developed with a **single-family residence**." This implies that the use is intended for a single-family and consideration should not be given to increase the occupancy to anything more than what would be appropriate for a single-family, regardless of the size of the home. To do so would be out of

line with the code for short term rentals and not in harmony with the purpose and characteristics of the A-2 zone city code.

The City code states in Zoning Standards: MCC Chapter 18.28.010: PURPOSE AND OBJECTIVES: Uses permitted in the A-2 zone, in addition to agricultural and residential uses, **must be incidental** thereto and should not change the basic agricultural character of the zone.

Zoning Standards: MCC Chapter 18.28.020: GENERAL OBJECTIVES AND CHARACTERISTICS C. The objectives in establishing the A-2 agricultural-residential zone are:
2. To **discourage commercial** and industrial uses, and any other use which tends to thwart or mitigate the use of the land for agricultural purposes.

Allowing the expansion of short term rental occupancy to completely fill the size of a large home incentivises a commercialization of residential neighborhoods and makes the use no longer "incidental" to the permitted use in A-2 zones. **The city code indicates that the use of short term rentals is for a "single-family" and the occupancy limits should reflect this understanding, and should not exceed a number that is reasonable for our community,** regardless of the size of the home or if it has an accessory unit.

The average size of a family with kids in Utah is just under five individuals. Therefore, I would consider it unreasonable to grant a short term rental occupancy that is any number higher than three times the average family size for our state. **Placing a maximum limit of 15 occupants for a short term rental would not be unreasonable, given the need to mitigate anticipated detrimental effects on the neighboring residents.** This would also ensure that the short term rental is incidental to the agricultural and residential use and discourage commercialization of the A-2 zone.

Relating specifically to the Broadbent's application, limiting the occupancy would also help mitigate the impact of the short term rental on the neighbors who granted easements to cross their property. This is reasonable, given that those neighbors may not have foreseen this impact when the easement was originally granted, as indicated by Stan Ricks' letter. In this case, the city should not treat the application as if the Broadbents have frontage to a city road, because they do not. Additional conditions (related to occupancy and potential number of cars allowed as part of the rental) are needed and are justified to mitigate potential harm to Rocking O Ranch and Mapleton Pond.

Related to the use of the pond, I would agree with staff that "use of the shared pond by tenants of the short-term rental shall be prohibited unless the majority owner of the pond provides written authorization for its use."

Thanks for taking the time to consider my thoughts. -TJ Uriona

Attachment "3"

Inspection Checklist

Short-term Rental Inspection Checklist

1. Smoke alarms (less than 10 yrs. old) are required in each bedroom, each adjacent hallway to a bedroom and one on each floor, including the basement.
2. Carbon Monoxide detectors are required on each floor.
3. GFCI breakers are required in bathrooms, non-dedicated garage plugs and kitchen countertops (including islands or wet bars).
4. Water heaters
 - a. Strapped with approved straps (one strap on the top third and one on the bottom third of the tank)
 - b. Water heater expansion tank must also be strapped
 - c. Must be de-rated and have a sticker to reflect
 - d. Proper venting and gas connections
5. Furnace
 - a. Must have required clearances and access
 - b. Correct venting and gas/electrical connections
 - c. Combustion air
6. Handrails are required on any stairs over 3 risers.
7. Hot tubs
 - a. Disconnect must be a minimum of 5' but no more than 50' away (5 to 50 rule)
 - b. Guardrails must be provided on a raised deck
 - c. Glass within 5' must be tempered
8. Windows must be tempered in hazardous locations
9. Fire extinguishers shall be provided on each floor and at special locations as directed by the Fire Inspector (type 2A, 10 lbs min.)
10. Emergency egress windows in bedrooms
11. Safety ladders available in each second-story bedroom.
12. Buildings with fire sprinklers require annual inspections.
13. Adequate sanitary facilities.
14. Gas fired appliances are not allowed in sleeping areas.