

ORDINANCE 2020-02

AN ORDINANCE ADDING CHAPTER 2 “DEMOLITION OR REMOVAL OF BUILDINGS OR STRUCTURES” TO TITLE 9 “BUILDING REGULATIONS” OF THE SUNSET CITY CODE

WHEREAS, Sunset City is seeing an upswing in demolition of structures due to re-development; and

WHEREAS, the Sunset City Council feels it is necessary and desirable to add demolition regulations to the Sunset City Code;

NOW, THEREFORE, be it ordained by the Sunset City Council as follows:

Section 1: Chapter 2 of Title 9 is added as follows:

Chapter 2 – Demolition or Removal of Buildings or Structures

9-2-1: Demolition Permit Required

9-2-2: Qualifications

9-2-3: Utility Disconnection

9-2-4: General Requirements

9-2-5: Site Restoration

9-2-6: Inspection

6-2-7: Expiration

9-2-1: Demolition Permit Required: No person shall demolish or move any building or structure within the City, or cause the same to be done, without first obtaining a building permit for each such building or structure. All permits will be obtained from the Building Department.

A. Application must include:

1. The State of Utah 10 Day Notification Form accepted by the Division of Air Quality.
1. Site plan showing fencing type and placement to protect pedestrian traffic, adjacent property and structures. Covered walkways will be constructed when required by the Building Official for pedestrian protection.
2. Verification from the utilities that all utilities (water, sewer, storm water, natural gas, electric, telephone, cable TV, etc.) have been properly disconnected, shut off and/or secured.
3. A surety bond or cash bond (payable by cashier’s check, cash or card) as outlined in section 9-2-4.

9-2-2: Qualifications: The permit required shall be obtained by the person doing the work specified in the permit. Demolition permits may be issued by the Building Official to parties who meet the following qualifications:

- A. Licensed Subcontractor: A subcontractor currently holding a license in good standing with the State of Utah, qualified to do wrecking and/or demolition work.
- B. License General Contractor: A contractor currently holding a license in good standing with the State of Utah, qualified as a general building contractor or a residential and small commercial contractor.
- C. Special Restricted Permittee: A property owner doing his/her own work, who cannot qualify under subsections A or B of this section, may qualify for a restricted special demolition permit conditioned upon compliance with the following terms and restrictions:
 - 1. Only one special demolition permit may be issued or outstanding at any time for any property owner.
 - 2. The permit is not transferable between parties.
 - 3. Each demolition project commenced under a special permit must be completed and receive final inspection and approval from the Building Inspector prior to the approval or issuance of any subsequent special permit to the owner.
 - 4. Special demolition permits may be issued for demolition of the following structures only:
 - a. Accessory buildings,
 - b. Single-family or duplex residential structures.

9-2-3: Sunset City Utility Disconnection: All utilities connected to a building or structure shall be disconnected as follows:

- A. Sewer: Sewer laterals which meet the existing requirements of the City Standards, and will be used for a future structure, shall be cut back to a point ten feet (10') inside the property line, an approved plug shall be placed in the lateral and a two inch by 4 inch (2" x 4") piece of treated lumber shall be placed at the end of the pipe and extended up to within one foot of final grade. Laterals which do not meet the requirements of the City Standards, or will not be used for a future structure, shall be removed back to the sewer main and the main repaired to meet the requirements of the Sunset City Public Works Department.
- B. Culinary Water: Culinary water laterals which meet the existing requirements of the City Standards, and will be used for a future structure, shall be cut back to a point ten feet (10') inside the property line, an approved plug shall be placed in the lateral and a two inch by 4 inch (2" x 4") piece of treated lumber shall be placed at the end of the pipe and extended up to within one foot of final grade. Laterals which do not meet the requirements of the City Standards, or will not be used for a future structure, shall be removed back to the water main and the main repaired to meet the requirements of the Sunset City Public Works Department.
- C. Storm Water: Storm water laterals which meet the existing requirements of the City Standards, and will be used for a future structure, shall be cut back to a point ten feet (10') inside the property line, an approved plug shall be placed in the lateral and a two inch by 4 inch (2" x 4") piece of treated lumber shall be placed at the end of the pipe and extended up to within one foot of final grade. Laterals which do not meet the requirements of the City Standards, or will not be used for a future structure, shall be removed back to the storm water main and the main repaired to meet the requirements of the Sunset City Public Works Department.

- D. All utility laterals being capped or removed to the main shall be inspected by the Public Works Department before being covered.

9-2-4: General Requirements: All permittees shall comply with the following requirements:

- A. Bond Posted: A surety bond, cashier's check or cash bond must be posted with Sunset City. Special circumstances may require special bonds. Otherwise, the following bond schedule will apply:
 - 1. Floor area of structure up to 2,000 square feet - \$2,000.
 - 2. Floor area of structure 2,001 to 10,000 square feet - \$10,000.
 - 3. Floor area of structure over 10,000 square feet - \$20,000.
- B. Protection of Off-Site Improvements: The purpose of the bond outlined in paragraph A of this section shall be to assure the satisfactory completion of the project as well as maintaining the satisfactory condition of the curb, gutter, sidewalk, drive approach, landscaping, paving, patching, asphalt cut, and other public improvement (protected items) theretofore installed on and in close proximity to the individual property for which the building permit was sought.
- C. Release of Bond: The bond will be released after satisfactory completion of the project and the protected items are inspected and found to be not damaged or are installed to meet city standards. Inspection of the protected items shall be done by the Sunset City Public Works Department. The bond will be released to the individual/party indicated on the demolition permit.
- D. Safe Condition Maintained: All buildings and structures shall be secured and maintained in a safe condition, both prior to and during demolition or moving.
- E. Dust Control: All demolition projects must have means of controlling dust on the job site.

9-2-5: Site Restoration:

- A. A permit for demolition or removal requires that all materials comprising part of the existing structure, including the foundation and footings, must be removed from the site. The depression caused by removal of such debris must be filled back and compacted to the original grade, as approved by the Building Inspector, with granular fill. The work must be completed, including filling and leveling back to grade and removal of required pedestrian walkways and fences within the permit period, unless the Building Inspector:
 - 1. Finds that any part of the foundation of the building will form an integral part of a new structure to be erected on the same site for which plans have already been approved by the Building Inspector, in which case the Inspector may approve plans for the appropriate adjustment and may impose reasonable conditions, including the erection of fences, securing, etc., to guarantee the site does not create a hazard.
 - 2. Finds that new construction will shortly commence and approves the continuance of the protective pedestrian walkway.

3. Finds that the foundation, footings or existing retaining walls are integral to the support of adjacent sidewalks, streets, legal easements or buildings, in which case the Building Inspector may permit such supporting structures to remain.

B. In no case shall grade next to sidewalks or on the site present a hazard to the public or anyone who may be on the site.

9-2-6: Inspection: The person or corporation to whom a demolition or relocation permit is issued will, upon completion of all work on the site, cause the site to be inspected by the Public Works Department and Building Inspector. The Public Works Department shall note on the inspection report the location of all laterals relative to the property lines and insure that the site is suitable in accordance with this ordinance. Additionally, the building permit must be closed with the passing of a final inspection by the Building Official.

6-2-7: Expiration: All permits issued shall expire sixty (60) calendar days from the date of issuance, unless a completion date allowing more time is stated and approved by the Building Inspector at the time of application. Demolition permits may be renewable upon request prior to expiration with the approval of the Building Official, provided continuous progress is being made. If a permit is allowed to expire without the prior renewal, any subsequent request for reinstatement shall be accompanied by a reinstatement fee equal to the original demolition permit fee.

Section 2: EFFECTIVE DATE:

This Ordinance shall become effective immediately upon passage and publication of a summary as required by law.

PASSED AND ADOPTED by the Sunset City Council, this 19th day of May, 2020.

SUNSET CITY,
a Municipal Corporation

By: _____
D HOWARD MADSEN
Mayor

ATTEST:

SUSAN R. HALE
City Recorder

Publication Date: _____