



EAGLE MOUNTAIN CITY COUNCIL - SPECIAL SESSION

April 23, 2024, 3:00 PM

Eagle Mountain City Council Chambers
1650 E. Stagecoach Run, Eagle Mountain UT 84005

3:00 P.M. WORK SESSION - CITY COUNCIL CHAMBERS

1. DISCUSSION OF PROPOSED BUDGET

- 1.A DISCUSSION - Proposed Budget

4:30 P.M. SPECIAL CITY COUNCIL MEETING - CITY COUNCIL CHAMBERS

2. CALL TO ORDER

3. ORDINANCE/PUBLIC HEARING

- 3.A [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapters 15.95 International Code and 16.60 Building Permits.](#)

BACKGROUND (*Presented by Brandon Larsen, Planning Director*) The proposed Ordinance clarifies that Eagle Mountain City enforces the International Building Codes as adopted by the State of Utah. This will also update City Code to align with State Code related to construction timing and building permits. The proposal also deals with information related to building permit fee calculations.

[ORD--EMMC 15.95 & 16.60 Building Permits](#)
[EMMC - 15.95 & 16.60 Building Permits - Redlines](#)

4. RESOLUTION/PUBLIC HEARING

- 4.A [RESOLUTION/PUBLIC HEARING - A Resolution of Eagle Mountain City, Utah, Amending Eagle Mountain City's Consolidated Fee Schedule for Building Permit Fees.](#)

BACKGROUND (*Presented by Kimberly Ruesch, Finance Director*) The proposed resolution amends Eagle Mountain City's Consolidate Fee Schedule for Building Permit Fees.

[RES--Consolidated Fee Schedule - Building Permits](#)
[Consolidated Fee Schedule, BP Fees - Redlines](#)
[Consolidated Fee Schedule - Clean](#)

5. ADJOURNMENT

THE PUBLIC IS INVITED TO PARTICIPATE IN PUBLIC MEETINGS FOR ALL AGENDAS.

In accordance with the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodation for participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6610. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this 18th day of April, 2024 on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder



EAGLE MOUNTAIN CITY
CITY COUNCIL - SPECIAL SESSION
APRIL 23, 2024

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapters 15.95 International Code and 16.60 Building Permits.		
ITEM TYPE:	Ordinance		
FISCAL IMPACT:			
APPLICANT:	City-initiated		
GENERAL PLAN DESIGNATION n/a	CURRENT ZONE n/a	ACREAGE n/a	COMMUNITY n/a

PUBLIC HEARING:

Yes

PREPARED BY:

Brandon Larsen, Planning

PRESENTED BY:

Brandon Larsen

RECOMMENDATION:

Staff recommends the City Council approve the proposed Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapters 15.95 International Code and 16.60 Building Permits.

BACKGROUND:

This is a proposal to update EMMC 15.95 and 16.60, related to international codes (i.e. International Fire Code and International Building Code) and building permits. Although the City has enforced the International Building Codes that have been adopted by the State of Utah, we should clarify in the City Code, which codes we are enforcing. This gives us extra points towards better fire insurance rates for our residents and businesses. The codes also need to be updated to align with State Code related to construction timing and building permits. This proposal also deals with information related to building permit fee calculations.

We have taken effort to propose simplifying the following:

- Reference adoption of the State Construction and Fire Code, rather than list out every single international code
- Reference to adoption of current codes
- Reference to current building permit fees in the Consolidated Fee Schedule
- Reference to current Building Valuation Data (BVD) table for building permit fee calculation
- Reference to current International Fire Code appendices

We have proposed more clarity on:

- Building permit site plan requirements
- Owner/builder or sole owner of property situations
- The signing and stamping of plans by engineers
- When a certificate of occupancy can be issued

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

Ordinances pertaining to code amendments, and processing of the same, may be found in EMMC 17.05.120 & 10-9a-501, Utah Code Annotated 1953. Ordinance enactment is a legislative process and left to the discretion of the City Council.

PLANNING COMMISSION ACTION/RECOMMENDATION:

This item will be considered by the Planning Commission on April 23, 2024, just prior to the Council meeting on the same day. Staff will notify the Council of the Planning Commission's recommendation at the Council meeting.

ATTACHMENTS:

[ORD--EMMC 15.95 & 16.60 Building Permits](#)

[EMMC - 15.95 & 16.60 Building Permits - Redlines](#)

ORDINANCE NO. O-____-2024

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE
EAGLE MOUNTAIN MUNICIPAL CODE CHAPTERS 15.95 INTERNATIONAL CODE AND
16.60 BUILDING PERMITS

PREAMBLE

WHEREAS the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code Chapters 15.95 International Code and 16.60 Building Permits, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Code Chapters 15.95 International Code and 16.60 Building Permits.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City on the 23rd day of April, 2024.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this the 23rd day of April, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____.

Exhibit A

Chapter 15.95

INTERNATIONAL CODES

Sections:

- 15.95.010 Adopted.
- 15.95.015 Building permits.
- 15.95.020 International Fire Code appendices.
- 15.95.030 Application fees.
- 15.95.040 Existing permits.
- 15.95.050 Savings.

Prior legislation: Ords. O-03-2001, O-02-2001 and 004.

15.95.010 Adopted State Codes and Rules.

A. Eagle Mountain City hereby adopts the specific editions of the current construction and fire code in Utah Code Title 15A, Chapter 2, Part 1, and Title 15A, Chapter 5, Part 1, State Construction and Fire Codes Act, Utah Code Annotated 1953, including the current statewide amendments set forth in Utah Code Title 15A, Chapter 3, State Construction and Fire Codes Act, Utah Code Annotated 1953. following building codes:

The 2000 2021 Edition of the International Building Code (IBC), issued by the International Code Council, including Appendices ____ and amendments adopted under the rules enacted by the State of Utah;

The 2021 International Residential Code (IRC), issued by the International Code Council, including amendments adopted under the rules enacted by the State of Utah;

The 2021 International Plumbing Code (IPC), issued by the International Code Council;

The 2021 International Mechanical Code (IMC), issued by the International Code Council;

The 2020 National Electrical Code (NEC), issued by the National Fire Protection Association;

The 2021 International Energy Conservation Code (IECC), issued by the International Code Council;

The 2021 International Fuel Gas Code (IFGC), issued by the International Code Council;

The 2021 International Fire Code, issued by the International Code Council, including Appendices _____ and amendments adopted under the rules enacted by the State of Utah;

The 2021 International Existing Building Code, issued by the International Code Council;

Americans with Disabilities Act (ADA);

as modified by Chapter 11 of the 2001 Edition of the Supplement to the International Building Code promulgated by the International Code Council, the amendments adopted under the rules enacted by the state of Utah together with standards incorporated into the IBC by reference, including, but not limited to, the 2000 Edition of the International Energy Conservation Code (IECC) promulgated by the International Code Council, the 2000 Edition of the International Residential Code (IRC) promulgated by the International Code Council and the 2000 Edition of the International Mechanical Code (IMC), together with all applicable standards set forth in the 2000 International Fuel Gas Code (IFGC) as revised, amended, and adopted by the state of Utah are hereby enacted by Eagle Mountain City. [Ord. O-01-2002 § 1].

15.95.015 Building permits.

A. Section R105.5 of the 2009 International Residential Code is hereby amended and re-enacted to read as follows:

~~R105.5 Expiration. Every permit issued shall become invalid and expire unless the work authorized by such permit is commenced within 180 days after the date of issuance of the permit, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the date the work is commenced. Work authorized by the permit is hereby defined as abandoned and suspended unless satisfactory work is substantially completed for inspection and the building department is contacted and notified within the times specified in the following schedule to perform inspections of completed work: notice to the building department to perform footing inspection on completed work must be received within 180 days after issuance of the permit; notice to the building department to perform foundation inspection of completed work must be received within 180 days after the footing inspection; notice to the building department to perform underground plumbing/heating inspection of completed work must be received within 180 days after the foundation inspection; notice to the building department to perform four way inspection of completed work, including gas and electric meter inspection, must be received within 180 days after the underground plumbing/heating inspection; notice to the building department to perform the final inspection on substantial completion of the work must be within 180 days after the four way, electric meter and gas meter inspection.~~

~~The building official is authorized to grant, in writing, one or more extensions of time to complete work, but not more than three extensions, for periods of not more than 180 days each. An application for extension of time shall be requested in writing by the holder of the permit and justifiable cause demonstrated for extension of the time to complete the required work.~~

~~The terms "Suspended" and/or "abandoned" shall mean that the work necessary to perform or complete one or more of the required inspections has not been completed, the required inspection has not been requested by the contractor of record and the completed inspection~~

~~has not been performed by the building department within a 180 day period as specified herein.~~

~~The intent of this amendment is to manage all residential building permits assuring projects are moving forward minimizing the impact to the surrounding property owners and neighborhoods during the construction process.~~

~~The contractors of record, including owner builders, are responsible to maintain a valid building permit. Upon expiration of a building permit, prior to commencing any construction completion or further construction work, the contractor shall contact the building department and apply to renew the building permit and pay all applicable fees. These fees include, but may not be limited to the building permit fees. Additional fees may be required such as connection fees, impact fees, investigation fees and other fees as determined applicable. The permit is not active or renewed until all required fees have been paid and written notice is issued by the building department that the permit is active and renewed.~~

~~Regardless of any extensions or inspection dates a permit shall expire for all residential occupancy groups 2 1/2 years after the issue date. The owner/applicant/contractor or designee will be required to renew the building permit prior to performing any further work.~~

~~This section R105.5 shall not apply to commercial or industrial occupancy group permits or permits for unfinished space within occupied homes.~~

~~B. This section shall take effect and the terms hereof shall apply to all building permits for new residential construction issued by Eagle Mountain City on or after January 1, 2012. [Ord. O-20-2011 §§ 1, 2].~~

15.95.020-015 International Fire Code appendices.

A. ~~Eagle Mountain City hereby adopts the~~ The following appendices of the ~~2003-current version of the~~ International Fire Code ~~adopted by the state of Utah are hereby adopted and in force in Eagle Mountain City:~~

1. Appendix B – Fire Flow Requirements for Building;
2. Appendix C – Fire Hydrant Locations and Distributions;
3. Appendix D – Fire Apparatus and Access Roads; provided, however, that Section D103.2 shall not be enforced in Eagle Mountain City;
4. Appendix E – Hazardous Categories;
5. Appendix F – Hazard Ranking;
6. Appendix G – Cryogenic Fluids – Weight and Volume Equivalents.

[7. Appendix H - Hazardous Materials Management Plan](#)

[8. Appendix I - Fire Protection Systems - Noncompliant Conditions](#)

[9. Appendix J - Building Information Signs](#)

B. It is the intent of this section to incorporate and adopt by reference the International Fire Code appendices named herein as they may be amended and updated from time to time as the state approves fire code changes. Therefore, the current version of each appendix shall be enforced in Eagle Mountain City after approval by the Eagle Mountain fire code official, unless a specific action is taken by the city council of Eagle Mountain City to exclude the applicability of a specific provision for use within Eagle Mountain City. [Ord. [O-12-2006](#) §§ 1, 2].

15.95.030-020 Application fees.

[Eagle Mountain City uses the most current Building Valuation Data Table, produced by the International Code Council, to calculate the valuation of a building permit. For projects other than new construction, or when deemed necessary by the City, a separate building valuation must be submitted by the permit applicant outlining the total value of all construction work, including materials and labor, for which the permit is issued.](#) Each [permit](#) application ~~for all permits required under the codes which are adopted by reference, as set forth more specifically in EMMC 15.95.010,~~ shall be accompanied by an application fee in the amount set forth more specifically in and according to [the Building Permit Fee table located in the Eagle Mountain City Consolidated Fee Schedule. Table 15.95.030, which](#) ~~The building permit fee and any applicable connection fees, impact fees, and water rights,~~ shall be paid by the permit applicant and collected by the ~~city~~ [City](#) prior to the issuance of the permit for which the application is filed.

Table ~~15.95.030~~ – Building Permit Fees

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000

\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge — two hours)	\$50.00 per hour ¹
2. Reinspection fees assessed under provisions of Section 305.8	\$50.00 per hour ¹
3. Inspections for which no fee is specifically indicated (minimum charge — one-half hour)	\$50.00 per hour ¹
4. Additional plan review required by changes, additions or revisions to plans (minimum charge — one-half hour)	\$50.00 per hour ¹
5. For use of outside consultants for plan checking and inspections, or both	Actual costs ²

1. Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

2. Actual costs include administrative and overhead costs.

[Res. 11-2017 § 1 (Exh. A); Ord. O-01-2002 § 2].

15.95.040 Existing permits.

All building permits issued by the city prior to the date of the ordinance codified in this chapter shall be governed by the code in place at the date of the issuance of the permit issued prior to the date of the ordinance codified in this chapter. In the implementation of this chapter and the administration of the codes adopted herein, the building official, in the exclusive discretion of the building official, may enforce less stringent provisions of the prior codes for a period of six months where such enforcement does not create a hazard to human life or substantial risk of significant loss of property. [Ord. O-01-2002 § 3].

15.95.050 Savings.

Except as provided above, this chapter amends all prior ordinances and resolutions in conflict herewith, but does not amend, modify, or repeal any requirements in place for permits pending at the date of the ordinance codified in this chapter or for fees or charges required for

~~applications, permits or services, damage deposits, or for any other purpose by the consolidated fee schedule of Eagle Mountain City. [Ord. O-01-2002 § 4].~~

Division V. Building Permits

Chapter 16.60 BUILDING PERMITS

Sections:

16.60.010 What this chapter does.

16.60.020 Purpose.

16.60.030 Building permit required.

16.60.040 Application.

16.60.050 Approval process.

16.60.060 Approved plan on construction site.

16.60.070 Issuance of a certificate of occupancy.

16.60.080 Temporary certificates of occupancy.

16.60.010 What this chapter does.

This chapter establishes the process, policies, and procedures governing the administration of building permits in Eagle Mountain City. [Ord. [O-23-2005](#) § 3 (Exh. 1(2) § 12.1)].

16.60.020 Purpose.

Eagle Mountain City and the state of Utah have adopted [building codes](#) ~~the International Building Code (IBC) and the International Residential Code (IRC)~~ which govern the technical standards, specifications, requirements, and provisions that apply to the construction of all structures that are required to have a building permit. [See EMMC Chapter 15.95 for a list of adopted codes.](#) This chapter sets forth the procedures used by Eagle Mountain City when issuing building permits. [Ord. [O-23-2005](#) § 3 (Exh. 1(2) § 12.2)].

~~16.60.030 Building permit required.~~

~~A building permit shall be required for all structures that exceed 200 square feet or the altering, remodeling, completion of unfinished areas, or enlargement of a structure as required by the adopted building codes International Building Code or the International Residential Code prior to the commencement of construction. [Ord. [O-23-2005](#) § 3 (Exh. 1(2) § 13.3 [12.3])].~~

16.60.040 Application.

A property owner or their duly authorized agent shall make application for a building permit on forms prepared by Eagle Mountain City. No building permit may be processed without the submission of the application and all the supporting materials as required by the city. Incomplete applications shall not be processed under any circumstance.

A. Supporting Materials. The following materials must be submitted with any application for a building permit:

1. Bond. A cash bond, as required by the city's consolidated fee schedule, to ensure that the public property surrounding and on the building site is protected. Applicants shall be required to sign a bond agreement that sets out the terms of the bond including, but not limited to, the applicant's obligations to protect public property, the city's obligations, the terms for release of the bond and the amount of time that the bond shall be maintained with the city. The bond will be reimbursed, plus interest, to an applicant after a certificate of occupancy is issued.

2. Construction Plans. ~~Two copies of the~~The home construction plans demonstrating compliance with the current state-adopted International Building Codes or International Residential Codes shall be submitted.

3. Site/Plot Plan. ~~Two copies of a~~ A site plan ~~on a regular size (eight and one half inch by 11 inch) with a scale no less than one inch equal to 20 feet that is~~ drawn to scale including a north arrow and legend, and clear specifications for the following:

a. Lot size and dimensions;

b. Setbacks and overhangs for setbacks, showing front, side, and rear setbacks from all structures to the nearest property lines;

c. Easements;

d. Property Lines;

e. Topographical details, if the slope of the lot is greater than 10%;

f. Retaining walls;

g. Hard Surface Areas;

h. Curb and gutter elevations as indicated in the subdivision documents;

i. Utilities, including water meter and sewer lateral location;

j. Street names;

k. Driveway locations;

l. Defensible space provisions and elevations, if required by the Utah Wildland Urban Interface Code;

m. The location of the nearest hydrant.

~~or contains the following information: applicant's name, address and phone number; subdivision name and lot number; square footage of the total site; driveways, sidewalks, dimensions showing front, side, and rear setbacks from all structures to the nearest property lines; property lines, easements; location of waterways, if any; all corners of the~~

~~home and the front and rear property corners must have finished grade elevation indicating proper drainage; identification of adjacent streets, alleys and easements across property; location of laterals and meters; and species, size, and planting location of street trees in the park strip.~~

4. Model Energy Code Checklist (MEC Check). ~~Two copies of t~~The Model Energy Code checklist demonstrating that the proposed structure meets the ~~state~~ State of Utah's ~~Approved currently adopted~~ Model Energy Code.

5. Contractor's State License. All contractors that are building homes must submit a photocopy of their contractor's state license. An owner builder, intending to live in the structure after a certificate of occupancy is issued, does not need to have a state license, but must comply with the sole owner of property requirements in Title 58, Chapter 55, Part 3, Utah Construction Trades Licensing Act, Utah Code Annotated 1953.

6. Structural Engineering Calculations. ~~Two sets of t~~The structural engineering calculations ~~shall be~~ wet stamped and signed by a ~~registered licensed~~ Utah ~~structural~~ engineer, according to the Professional Engineers and Professional Land Surveyors Licensing Act Rule, or successor rule in the current Utah Administrative Code.

~~7. Repealed by Ord. O-25-2018.~~

~~7~~8. Architectural Compliance. ~~If As~~ applicable, ~~all applicants shall submit~~ evidence of compliance with the architectural standards established by a master development agreement and ~~the neighborhood, subdivision, master developer, conditions, covenants and restrictions and~~ city ordinances established for the subject property. [Ord. ~~O-25-2018~~ § 2 (Exh. A); Ord. ~~O-23-2005~~ § 3 (Exh. 1(2) § 12.4)].

8. Geotechnical Report. A geotechnical report, including a slope stability evaluation and retaining wall design, if the structure is proposed within 200 feet of slopes in excess of 25 percent or if the slope of the lot is greater than 15%.

16.60.050 Approval process.

The city may only approve a proposed building permit application that conforms to the applicable building codes, the fire code, adopted architectural and design guidelines, ~~or and~~ ordinances. Any redlined notes or comments written by authorized city staff on plans or in approval documents are a part of the approved plan and applicants are responsible to review and comply with such redlined amendments. Building plan review shall comply with the standards and timelines in Title 10, Chapter 6, Uniform Fiscal Procedures Act for Utah Cities, Utah Code Annotated 1953~~Utah Code 10-6-160~~. The building department may receive and approve complete building permit applications only under the following circumstances:

A. ~~A.~~ For residential projects with either single-family detached or single-family attached units (townhomes, twin homes, duplexes), the minimum essential infrastructure required to serve the lot during construction must be installed, improvement assurance provided for additional infrastructure, and the subdivision plat recorded. Minimum essential infrastructure includes: including

1. Road improvements with the following standards:

a. ~~-~~Temporary roads shall be constructed with structural fill and road base according to Eagle Mountain City's standards for a permanent road (see EMMC 15.60);

b. Approved vehicle access for firefighting shall be provided to within 100 feet of temporary or permanent fire department connections;

c. Road shall be capable of supporting vehicle loading under all weather conditions;

d. Access roads shall be maintained for emergency and fire access throughout the duration of the project until permanent fire apparatus access roads are available;

e. Temporary turnarounds in accordance with the Fire Code standards.

2. ~~S~~ewer Lines, inspected and tested;

3. ~~W~~ater lines, inspected and tested, and fire hydrants charged, with fire flow test results submitted and approved by the Fire Marshal or his/her designated representative;

4. Storm drain and drain facilities, inspected and tested;

5. In the absence of curb, gutter, sidewalk, a survey of the footing/foundation location (prior to inspection of footing/foundation);

~~4.6.Improvement assurance or bonding for -sidewalk, curb and gutter,; and-asphalt, (except when not allowed due to temperature restrictions) (see EMMC 16.05.100(D)). Asphalt must be placed and graded; the sewer, drains and drain facilities, and water lines must be completed and tested; street signs and "no parking" signs, and permanent turnarounds, where required. must be installed; required turnarounds (temporary or permanent) must be installed; and fire flow test results must be submitted and approved by the fire marshal or his/her designated representative before any building permits will be issued.~~

B. For nonresidential/commercial projects or multifamily residential projects (including apartment and condominium projects), building permits may be issued in advance of the road and utility improvements being completed if the project is adjacent to an existing road(s), and all necessary utility infrastructure is immediately available to the project, unless otherwise determined by the development review committee due to public safety or other special circumstances where this infrastructure would be required to be installed prior to the building permit being issued.

C. For nonresidential/commercial projects or multifamily residential projects (including apartment and condominium projects) where all necessary utility infrastructure is not immediately available, the development review committee shall review each project on a case-

by-case basis to determine the amount of infrastructure that will be required prior to issuance of a building permit.

D. Development review committee decisions may be appealed to the city council. It is the responsibility of each applicant to provide sufficient information to demonstrate the reason and justification for the exception, and that they can provide acceptable temporary alternatives for power, water, and fire protection during construction. [Ord. [O-04-2015](#) § 2 (Exh. A); Ord. [O-23-2005](#) § 3 (Exh. 1(2) § 12.5)].

16.60.060 Approved plan on construction site.

The ~~approved~~ plot plan and construction plans that have been stamped and signed by the [Building Official or designee and Fire Marshal \(if required\) or designee, or an electronic copy thereof](#) ~~architectural review committee, neighborhood association and building department officials, as applicable,~~ shall be on the job site for all inspections. Contractors that do not have the approved plan on the job site may not be eligible for an inspection and charged a reinspection fee at the discretion of the building official and as allowed by the International Building Code or the International Residential Code. [Ord. [O-23-2005](#) § 3 (Exh. 1(2) § 12.6)].

16.60.070 Issuance of a certificate of occupancy.

Structures that comply with all of the International Building Code or International Residential Code requirements, this title and any other conditions imposed through a site plan review or conditional use process may be eligible to receive a certificate of occupancy. [Structures may not be issued a certificate of occupancy until verification has been provided that any required water rights have been dedicated to the City or purchased with the City, permanent infrastructure is complete \(including paved roads, curb and gutter, sidewalk, street signs, required landscaping, and all required utilities\).](#) Upon receiving a certificate of occupancy, the owner, builder or contractor may request that the bond be reimbursed with interest. [Ord. [O-23-2005](#) § 3 (Exh. 1(2) § 12.7)].

16.60.080 Temporary certificates of occupancy.

The building official may issue a temporary certificate of occupancy under very specific circumstances. Temporary certificates of occupancy may only be issued under the following circumstances:

A. Minor Deficiencies. Minor deficiencies that may be corrected within 30 days and pose no threat to the public or persons who may occupy the structure.

B. Bond. When a temporary certificate of occupancy is issued, the bond placed for the protection of public property will be retained and may be used at the building official's discretion at a future time under his direction to bring the structure into compliance with the

International Building Code or the International Residential Code, this title and any other conditions imposed through a site plan review or conditional use process.

C. The city council may also exercise their discretionary power and authorize the building official to issue a certificate of occupancy for unusual circumstances so long as it does not violate the International Building Code or the International Residential Code.

D. Incomplete Services or Infrastructure. Temporary certificates of occupancy shall not be issued for deficiencies or incomplete services, connections or infrastructure such as off-site water, sewer, electrical, natural gas, sidewalks, curb, gutter or other items that present a safety hazard if uninstalled. [Ord. [O-23-2005](#) § 3 (Exh. 1(2) § 12.8)].



EAGLE MOUNTAIN CITY
CITY COUNCIL - SPECIAL SESSION
APRIL 23, 2024

TITLE:	RESOLUTION/PUBLIC HEARING - A Resolution of Eagle Mountain City, Utah, Amending Eagle Mountain City's Consolidated Fee Schedule for Building Permit Fees.		
ITEM TYPE:	Resolution		
FISCAL IMPACT:			
APPLICANT:	City-initiated		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Kimberly Ruesch, Admin

PRESENTED BY:

Kimberly Ruesch

RECOMMENDATION:

Staff recommends the City Council approve the proposed resolution of Eagle Mountain City, Utah, amending the City's Consolidated Fee Schedule for building permit fees.

BACKGROUND:

This proposal would include an updated Building Permit Fee table. More specifically, information in the *Total Valuation* and *Fee* columns of the table is proposed to be updated, and a new note is proposed to be added that states the current International Building Code's Building Valuation Data (BVD) table will be used in generating building permit fees. This change is meant to help simplify the process of calculating building permit fees as the city prepares to utilize the OpenGov electronic permitting system.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[RES--Consolidated Fee Schedule - Building Permits](#)
[Consolidated Fee Schedule, BP Fees - Redlines](#)
[Consolidated Fee Schedule - Clean](#)

RESOLUTION NO. R- -2024

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE
EAGLE MOUNTAIN CITY CONSOLIDATED FEE SCHEDULE
(BUILDING PERMIT FEES)**

WHEREAS, the City Council of Eagle Mountain City is empowered by law to adopt resolutions establishing fees for municipal services and has established an equitable system of fees for providing municipal services; and

WHEREAS, the City Council has determined that it is necessary and appropriate to amend the Building Permit Fees within the City; and

WHEREAS, the City Council finds that it is in the public interest to reaffirm all fees and charges previously enacted in the Eagle Mountain City Consolidated Fee Schedule except for those fees and charges which are specifically amended or changed in this Resolution.

NOW, THEREFORE, be it resolved by the City Council of Eagle Mountain City as follows:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Consolidated Fee Schedule Chapter 13.1 Building Permit Fees.
2. The Consolidated Fee Schedule attached hereto as Exhibit A and the fees and charges set forth therein are hereby enacted and adopted for services received from Eagle Mountain City.
3. This Resolution is not intended to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other resolutions, ordinances, or laws except to effect modification of the fees reflected in the Consolidated Fee Schedule. The fees listed in the Consolidated Fee Schedule supersede present fees for services specified, but all fees not listed remain in effect. Where this Resolution imposes a higher fee than is imposed or required by existing provisions, resolution, ordinance, or law, the provisions of this resolution shall control.

This Resolution shall take effect at 12:01 a.m. on the 24th day of April, 2024.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 23rd day of April, 2024.

Those voting aye:	Those voting nay:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____.

Exhibit A

Eagle Mountain City Consolidated Fee Schedule

13. BUILDING DEPARTMENT

13.1. | BUILDING PERMIT FEES*

Last Revision: ~~03/17/2015~~ 04/23/2024

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500	\$23.50 <u>4</u>
\$501 to \$2,000	\$23.50 <u>4</u> for the first \$500, plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.
\$2,001 to \$2540 <u>25,000</u>	\$69.25 for the first \$2,000, plus \$11.14 <u>14.00</u> for each additional \$1,000, or fraction thereof, to and including \$2540 <u>25,000</u> .
\$25,001 to \$50,000	\$391.75 for the first \$25,000, plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.
\$5040 <u>50,001</u> to \$100,000	\$643.75 <u>487</u> for the first \$450,000 <u>50,000</u> , plus \$7.00 <u>9</u> for each additional \$1,000, or fraction thereof, to and including \$100,000.
\$100, 001-000 <u>001-000</u> to \$500,000	\$993.75 <u>1,027</u> for the first \$100,000, plus \$5.60 <u>7</u> for each additional \$1,000, or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$3, 233.75 <u>827</u> for the first \$500,000, plus \$4.75 <u>5</u> for each additional \$1,000, or fraction thereof, to and including \$1,000,000.
\$1,000,001 and up to <u>\$5,000,000</u>	\$5,608.75 <u>6,327</u> for the first \$1,000,000, plus \$3.65 for each additional \$1,000, or fraction thereof, <u>to and including \$5,000,000.</u>
<u>\$5,000,001 and up</u>	<u>\$18,327 for the first \$5,000,000, plus \$1 for each additional \$1,000, or fraction thereof</u>

~~Plus 1% surcharge assessed against permit fee per Building Permit as per Utah Code 15A-1-209(5). Plus 1% surcharge assessed against permit fee per building permit (Utah Code); 80% submitted to State of Utah, 20% retained by City for administration of State Collection.~~

**Building Permit Fee schedule comes from the 2021 International Residential Code Appendix AL and applies to total valuation calculated using the current version of the International Code Council Building Valuation Table.

13. BUILDING DEPARTMENT

13.1. | BUILDING PERMIT FEES*

Last Revision:
04/23/2024

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500	\$24
\$501 to \$2,000	\$24 for the first \$500, plus \$3 for each additional \$100, or fraction thereof, up to and including \$2,000.
\$2,001 to \$40,000	\$69 for the first \$2,000, plus \$11 for each additional \$1,000, or fraction thereof, up to and including \$40,000.
\$40,001 to \$100,000	\$487 for the first \$40,000, plus \$9 for each additional \$1,000, or fraction thereof, up to and including \$100,000.
\$100,001 to \$500,000	\$1,027 for the first \$100,000, plus \$7.00 for each additional \$1,000, or fraction thereof, up to and including \$500,000.
\$500,001 to \$1,000,000	\$3,827 for the first \$500,000, plus \$5 for each additional \$1,000, or fraction thereof, up to and including \$1,000,000.
\$1,000,001 to \$5,000,000	\$6,327 for the first \$1,000,000, plus \$3 for each additional \$1,000, or fraction thereof, up to and including \$5,000,000.
\$5,000,001 and up	\$18,327 for the first \$5,000,000, plus \$1 for each additional \$1,000, or fraction thereof.

Plus 1% surcharge assessed against permit fee per Building Permit as per Utah Code 15A-1-209(5)

* Building Permit Fee schedule comes from the 2021 International Residential Code (IRC) Appendix AL 101 and applies to total valuation which is calculated using the current version of the International Code Council Building Valuation Table.