

**ORDINANCE NO. 2024-06**

**AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9, OF THE LaVERKIN CITY CODE, DEALING WITH BUILDING RELATED CODES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the State of Utah has adopted more-recent building-related codes, for constructions and installations (occurring within this state) than are currently adopted by the City of LaVerkin; and

**WHEREAS**, some of those codes are updates to codes currently adopted by the City; and

**WHEREAS**, some of those codes include codes that (although not presently adopted by the City in any current or previous edition) are—in the opinion of the City’s building officials—meritorious and would be useful in order to promote and encourage safe, updated, quality and/or efficient constructions and installations within the City of LaVerkin; and

**WHEREAS**, the building officials of the City have recommended that the International Existing Building Code and International Swimming Pool and Spa Code be adopted, and that the City Council officially adopt and include the updated Building Valuation Tables promulgated by the International Code Council; and

**WHEREAS**, the City Council deems it to be in the best interests of the City and its residents, guests and businesses to amend the City Code to adopt such updates and/or new codes, and renumber the last four sections of Chapter 1 of Title 9,

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF LaVERKIN, UTAH:**

**SECTION I:** AMENDMENT OF THE CODE OF THE LaVERKIN CITY CODE, BY AMENDING THE PROVISIONS OF CHAPTER 1 OF TITLE 9 THEREOF:

Chapter 1 of Title 9 of *The LaVerkin City Code* is hereby amended to read as follows:

## ORDINANCE NO. 2024-06

### Chapter 1 BUILDING RELATED CODES

#### 9-1-1: INTERPRETATION:

Any reference in this code to "the applicable building related code" or "the applicable building related codes" shall mean and include the applicable code or codes identified and adopted in this chapter, as well as any subsequent amendments or revisions which shall automatically be adopted and included in this chapter.

#### 9-1-2: BUILDING CODE ADOPTED:

- A. International Building Code: The 2021 edition of the international building code (IBC), including appendices chapters C and J and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council and as adopted and amended by the state, with the exception of appendix B entitled "Board Of Appeals", as published by the International Code Council and as adopted and amended by the state, is hereby adopted as the code for LaVerkin City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses in the city and providing for the issuance of permits and collection of fees therefor. Such international building code shall be on file in the LaVerkin City office for use and examination by the public.
- B. Revisions: The following sections of the IBC are hereby revised:
  - 1. Section 101.1 Insert: city of LaVerkin.
  - 2. Table R301.2(1) Insert: Ground snow load - 21 lbs., roof snow load - 15 lbs., wind speed (mph) - 115, seismic design category - soils/engineering; weathering - moderate, frost line depth - 12 inches; termite - moderate to heavy, decay - none/slight, design temperature dry bulb 2.5% - 102°, wet bulb 2.5% - 70°, flood hazards - a) August 19, 1987 and b) January 7, 1998.
- C. Building Valuation Tables: The February 2023 building valuation data and tables included therein, as promulgated by the International Code Council, is hereby adopted by the city for the determination of square-foot construction costs used in the calculation of the building permit fees—to ensure that building construction values are up-to-date and reflective of the current building environment, and to provide fairness in the assessment of building permit fees under the code or codes in this chapter. *Provided that*, in calculating values within the jurisdictional boundaries of LaVerkin, the city shall apply a factor of 100% against the values in said tables.

## **ORDINANCE NO. 2024-06**

### **9-1-3: RESIDENTIAL CODE ADOPTED:**

- A. The International Residential Code: The 2021 edition of the international residential code (IRC) including appendix chapters D, E, G, L, M, R, AE and AQ and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council and as adopted and amended by the state, is hereby adopted as the code of LaVerkin City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three (3) stories in height in the city and providing for the issuance of permits and collection of fees therefor. Such international residential code shall be in book form on file in the LaVerkin City office for use and examination by the public.
- B. Revisions: The following sections of the IRC are hereby revised:
  - 1. Section R101.1 Insert: city of LaVerkin.
  - 2. Table R.301.2(1) Insert: Ground snow load - 21 lbs., roof snow load - 15 lbs., wind speed (mph) - 115, seismic design category D - soils/engineering; weathering - moderate, frost line depth - 12 inches; termite - moderate to heavy, decay - none/slight, design temperature dry bulb 2.5% - 102°, wet bulb 2.5% - 70°, flood hazards - a) August 19, 1987 and b) January 7, 1998.

### **9-1-4: ELECTRICAL CODE ADOPTED:**

The city hereby adopts the 2020 version of the national electrical code (NEC) and each and all of the regulations, provisions, penalties, conditions and terms as published by the National Fire Protection Association as adopted and amended by the state, as the electrical code of LaVerkin City for regulating the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the city and providing for the issuance of permits and collection of fees therefor. Such national electrical code shall be in book form, on file in the LaVerkin City office for use and examination by the public.

### **9-1-5: PLUMBING CODE ADOPTED:**

- A. International Plumbing Code: The city hereby adopts the 2021 version of the international plumbing code (IPC) as adopted and amended by the state, including appendix chapters B, D, E, and F and each and all of the regulations, provisions, penalties, conditions and terms, published by the International Code Council, as the plumbing code of LaVerkin City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the city and providing for the issuance of permits and collection of fees therefor. Such international plumbing code

## **ORDINANCE NO. 2024-06**

shall be in book form, on file for use and examination by the public in the LaVerkin City office.

- B. Revisions: The international plumbing code, section 101.1 is hereby revised to insert city of LaVerkin.

### **9-1-6: FUEL GAS CODE ADOPTED:**

- A. International Fuel Gas Code: The city hereby adopts the 2021 version of the international fuel gas code (IFGC) as amended and adopted by the state, and each and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council, as the fuel gas code for LaVerkin City for regulating the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of fuel gas systems in the city and providing for the issuance of permits and collection of fees therefor. Such international fuel gas code shall be in book form on file for use and examination by the public in the LaVerkin City office.
- B. Revisions: The international fuel gas code, section 101.1 is hereby revised to insert city of LaVerkin.

### **9-1-7: MECHANICAL CODE ADOPTED:**

- A. International Mechanical Code: The city hereby adopts the 2021 version of the international mechanical code (IMC) as amended and adopted by the state, including appendix A and each and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council, as the mechanical code for LaVerkin City for regulating the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the city and providing for the issuance of permits and collection of fees therefor. Such international mechanical code shall be in book form on file for use and examination by the public in the LaVerkin City office.
- B. Revisions: The international mechanical code, section 101.1 is hereby revised to insert city of LaVerkin.

### **9-1-8: FIRE CODE ADOPTED:**

- A. International Fire Code: The city hereby adopts the state fire code, as adopted by the state of Utah, in chapter 5 of title 15A, Utah Code Annotated (1953, as amended, and effective July 1, 2013) including, but not limited to, the 2021 edition of the international fire code, as amended and adopted by the state in said chapter, and each and all of the regulations, provisions, penalties, conditions and terms, and appendices A through D thereto, as published by the International Code Council, as the fire code for LaVerkin City, regulating and governing the safeguarding of life and property

## **ORDINANCE NO. 2024-06**

from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as provided; and providing for the issuance of permits and collection of fees therefor. Such fire code shall be in book form on file in the LaVerkin City office for use and examination by the public.

- B. Revisions: The international fire code, section 101.1 is hereby revised to insert city of LaVerkin.
- C. Geographic Limits: The geographic limits referred to in certain sections of the international fire code are hereby established as follows:
  - 1. Section 3204.3.1.1 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): Hurricane fire department.
  - 2. Section 3404.2.9.5.1 (geographic limits in which the storage of class I and class II liquids in aboveground tanks outside of buildings is prohibited): Hurricane fire department.
  - 3. Section 3406.2.4.4 (geographic limits in which the storage of class I and class II liquids in aboveground tanks is prohibited): Hurricane fire department.
  - 4. Section 3804.2.4.4 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): Hurricane fire department.

### **9-1-9: WILDLAND-URBAN INTERFACE CODE ADOPTED:**

- A. International Wildland-Urban Interface Code: The city hereby adopts the 2020 edition of the international wildland-urban interface code, but (unless otherwise specified herein) not including the appendices thereto, as published by the International Code Council, as the wildland-urban interface code for LaVerkin City, regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures, and prevention of structure fires from spreading to wildland fuels within and surrounding the jurisdictional boundaries of LaVerkin City; and providing for the issuance of permits and collection of fees therefor.
- B. Revisions: The following sections are hereby revised:
  - 1. Section 101.1. Insert "LaVerkin City".
  - 2. Section 103.1. Insert "LaVerkin City".
  - 3. Section 109.4.7. Insert "LaVerkin City".

## **ORDINANCE NO. 2024-06**

4. Delete section 114.4.
- C. Specific Boundaries Of Areas: Specific boundaries of natural or manmade features of wildland-urban interface areas shall be as shown on the wildland-urban interface area as depicted on any wildland-urban interface map or maps adopted pursuant to chapter 3 of said code.

### **9-1-10: ENERGY CONSERVATION CODE ADOPTED:**

- A. International Energy Conservation Code: The city hereby adopts the 2018 version of the international energy conservation code (IECC) as amended and adopted by the state, including appendix A and each and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council, as the energy code for LaVerkin City for regulating the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of energy systems in the city and providing for the issuance of permits and collection of fees therefor. Such international energy code shall be in book form on file for use and examination by the public in the LaVerkin City office.
- B. Revisions: The international energy code, section 101.1 is hereby revised to insert city of LaVerkin.

### **9-1-11: ABATEMENT OF DANGEROUS BUILDINGS CODE ADOPTED:**

Uniform Code for the Abatement of Dangerous Buildings: The city hereby adopts the 1997 edition of the uniform code for the abatement of dangerous buildings ("UCADB"), as published by the International Code Council and as adopted and amended by the state, as a code for LaVerkin City for regulating building alteration, remodeling, maintenance, repair, removal, seismic evaluation, and rehabilitation of buildings and structures that fail to meet minimum maintenance standards and become or are deemed or declared by the city building inspector to be unsafe, unsightly, unstable, dangerous, dilapidated, deleterious and/or hazardous. Provided, that any reference therein to the uniform building code (UBC) or any provision thereof, shall refer instead to the international building code (IBC) or international residential code (IRC), and any similar or substantially similar provision therein, as applicable.

### **9-1-12: EXISTING BUILDING CODE ADOPTED:**

International Existing Building Code: The city hereby adopts the 2021 edition of the international existing building code ("IEBC") as a code for LaVerkin City for regulating and providing flexibility with regards to the repair, alteration, change of occupancy, addition to and relocation of existing buildings, to meet minimum acceptable levels to safeguard the public health, safety and welfare.

## **ORDINANCE NO. 2024-06**

### **9-1-13: SWIMMING POOL AND SPA CODE ADOPTED:**

International Swimming Pool and Spa Code: The city hereby adopts the 2021 edition of the international swimming pool and spa code ("ISPSC") as a code for LaVerkin City for regulating and controlling the design, construction, installation, alteration, quality of materials, location, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools, and spas, to meet minimum acceptable levels to provide a reasonable level of safety and protection of health, property and public welfare.

### **9-1-14: BUILDING OFFICIAL:**

A. Created: There is hereby created the position of building official who shall also be known as the city building inspector.

B. Powers:

1. The building inspector shall have the power to order all work stopped on construction, alteration or repairs of buildings in the city when such work is being done in violation of any provisions of any ordinance relating thereto, or in violation of the subdivision or zoning titles of the city. Work shall not be resumed after the issuance of such order, except on the written permission of the inspector; provided, that if the stop order is an oral one, it shall be followed by a written stop order within one hour. Such written stop order may be served by any peace officer or other authorized person.
2. The building inspector shall have the power to enter into any building or the premises where the work of altering, repairing or constructing any building or structure is going on, for the purpose of making inspections at any reasonable hour, pursuant to any of the provisions of this title and title 4 of this code.

C. Duties: The building inspector shall, in addition to all other duties imposed on him by the city:

1. Enforce the provisions of the applicable building-related codes.
2. Inspect all buildings, structures, ditches, signs, fences and objects to determine their safety and effect on the persons who are within the city.
3. Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must:

## **ORDINANCE NO. 2024-06**

- a. Be designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure;
  - b. Use construction materials and utility equipment that are resistant to flood damage; and
  - c. Use construction methods and practices that will minimize flood damage.
4. Review subdivision proposals and other proposed new developments to assure that:
- a. All such proposals are consistent with the need to minimize flood damage;
  - b. All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage; and
  - c. Adequate drainage is provided so as to reduce exposure to flood hazards.
5. Require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters and require on site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

### **9-1-15: BUILDING PERMIT REQUIRED:**

- A. **Application And Plans:** A building permit shall be submitted to the city on written application accompanied by plans and specifications in duplicate, which must state the specific nature of the construction or alterations to be made. The plan must be verified by the person who will perform or be in charge of the construction or alteration.
- B. **Variations Of Plan Prohibited:** No material variation from the approved plan shall be allowed unless such variations shall first have been approved in writing by the building inspector.
- C. **Approval Of Plan:** The application and plans shall be reviewed by the building inspector to determine whether the proposed construction or alteration conforms to the building codes and ordinances of the city. The building inspector shall make the plan available for return within ten (10) days with the statement "approved" if the plans do conform or "disapproved" if the plans do not conform. If the plans are disapproved, the reasons therefor shall be attached to the plans. Upon approval of the plans and receipt of the applicable fee therefor the city shall issue a permit to the

## **ORDINANCE NO. 2024-06**

applicant, together with one set of the approved plan. One set of the plans shall be retained by the building inspector. The building inspector may revoke at any time a permit which has been issued for any building constructed or being constructed or which would be or would result, if construction continued, in violation of any ordinance of the city.

### **9-1-16: FEE SCHEDULE:**

- A. The city shall collect a fee for the application of a permit in the amount as established by resolution of the city council.
- B. Fees charged for the building permit shall cover the first inspection and one reinspection. When those inspections result in a failure of the builder to completely correct problems specified by the building inspector and a third or subsequent inspection is required, such builder shall be required to pay a reinspection fee as established by resolution, prior to scheduling the third or subsequent inspections.

### **9-1-17: PENALTY; EXCEPTION:**

- A. It shall be a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for any homeowner and a class B misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for any person who receives payment or anything of value to construct or alter any building or structure, except a fence, without first securing the permit required by this chapter.
- B. This section shall not apply where the retail cost of the materials used in the construction or alteration is less than one thousand dollars (\$1,000.00), except that it shall apply in all cases where the construction or alteration results in an enlarged structure or affects the walls of the building or structure.

## **SECTION II: REPEAL OF CONFLICTING PROVISIONS.**

All ordinances or resolutions, or parts or provisions thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent that they conflict herewith.

## **SECTION III: SEVERABILITY.**

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

**ORDINANCE NO. 2024-06**

**SECTION IV: EFFECTIVE DATE.**

In the opinion of the City Council of LaVerkin City, it is necessary for the preservation of the peace, welfare, health, and safety of the inhabitants of LaVerkin City that this Ordinance take effect as soon as possible. This Ordinance, therefore, shall take effect immediately upon its passage and first publication as provided by law.

**PASSED AND ADOPTED** by the City Council of LaVerkin City this 21 day of February, 2024.

ATTEST:

  
CHRISTY BALLARD, City Recorder



  
KELLY WILSON, Mayor