AN ORDINANCE AMENDING TITLE 15, BUILDINGS AND CONSTRUCTION

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the
City of Logan, State of Utah, as follows:

SECTION I: Chapters 15.04, 15.06, 15.08, 15.12, 15.16, 15.20, 15.24, 15.28 and
15.32, Title 15, Logan Municipal Code, 1989, are hereby repealed.

SECTION II: Title 15, Buildings and Construction, Logan Municipal Code,
1989, is hereby enacted to read as follows.

Title 15

BUILDINGS AND CONSTRUCTION

Chapters:
15.04 BUILDING CODE
15.06 RESIDENTIAL BUILDING CODE (ONE AND TWO FAMILY)
15.08 ELECTRICAL CODE
15.12 MECHANICAL CODE / FUEL GAS CODE
15.16 PLUMBING CODE
15.18 MANUFACTURED HOUSING CODES AND RECOGNIZED STANDARDS
15.20 INTERNATIONAL PROPERTY MAINTENANCE CODE
15.22 APPEALS PROCEDURE AND ENFORCEMENT
15.25 TENANT / LANDLORD RESPONSIBILITIES ORDINANCE
15.26 HOUSING CODE

Chapter 15.04

BUILDING CODE

Sections:
15.04.010 ADOPTION OF THE BUILDING CODE
15.04.020 DEFINITIONS
15.04.030 FEES

15.04.010 ADOPTION OF THE BUILDING CODE
(1) For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of the buildings and structures and certain equipment within the State, pursuant to Chapter 56, Title 58 of Utah Code Annotated, and administrative rule making authority, the State of Utah through the Utah Uniform Building Codes Commission, has adopted statewide uniform technical construction codes, including amendments. The Building Code, including any amendments that have been or may be made as adopted above, together with the Administration sections of the Code, is hereby fully incorporated as if set out at length herein, and from the effective date of this Chapter, the provisions thereof shall be controlling within the corporate limits of the City.

(2) Pursuant to Section 10-3-711, Utah Code Annotated, 1953 as amended, the Building Code is available for use and examination by the public in the City Recorder’s Office.

15.04.020 DEFINITIONS

(1) Whenever the word Jurisdiction is used in the Building Code, it shall mean City of Logan, Utah.

(2) Whenever the words Building or Code Enforcement are used in the Building Code, they shall mean Building Division of Department Community Development, Logan.

15.04.030 FEES

Building permit fees shall be based on the total valuation of the proposed project as set forth in and adopted by resolution.

Chapter 15.06

RESIDENTIAL BUILDING CODE

Sections:

15.06.010 ADOPTION OF A RESIDENTIAL BUILDING CODE
15.06.020 DEFINITIONS
15.06.030 FEES

15.06.010 ADOPTION OF A RESIDENTIAL BUILDING CODE

(1) For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of the buildings and structures and certain equipment within the State, pursuant to Chapter 56, Title 58 of Utah Code Annotated, and administrative rule making authority, the State of Utah
through the Utah Uniform Building Codes Commission, has adopted statewide uniform technical construction codes, including amendments. The Residential Building Code, as adopted above, together with the Administration sections of the Code, is hereby fully incorporated as if set out at length herein, and from the effective date of this Chapter, the provisions thereof shall be controlling within the corporate limits of the City.

(2) Pursuant to Section 10-3-711, Utah Code Annotated, 1953 as amended, the Building Code is available for use and examination by the public in the City Recorder's Office.

15.06.020 DEFINITIONS

(1) Whenever the word Jurisdiction is used in the Code, it shall mean City of Logan, Utah.

(2) Whenever the words Department of Building Safety or Code Enforcement Agency are used in the Residential Building Code, they shall mean the Building Safety Division of the Department of Community Development, City of Logan.

15.06.030 FEES

Building permit fees shall be based on the total valuation of the proposed project as set forth in 15.04.030, 15.08.030, 15.12.030 and 15.16.030 and as is set forth in and adopted by resolution.

Chapter 15.08

THE NATIONAL ELECTRICAL CODE

Sections:
15.08.010 ADOPTION OF THE NATIONAL ELECTRICAL CODE
15.08.030 FEES

15.08.010 ADOPTION OF THE NATIONAL ELECTRICAL CODE

(1) For the purpose of providing minimum standards to safeguarding persons and property from hazards arising from the use of electricity within the State pursuant to Chapter 56, Title 58 of Utah Code Annotated, and administrative rule making authority, the State of Utah through the Utah Uniform Building Codes Commission, has adopted statewide uniform technical construction codes, including amendments. The National Electrical Code, as adopted above, is hereby fully incorporated, as if set out at length herein, and from the effective date of this Chapter, the provisions thereof shall be controlling within the corporate limits of the City.

(2) Pursuant to Section 10-3-711, Utah Code Annotated, 1953 as amended, the National Electrical Code is available for use and examination by the public in the City Recorder's Office.
15.08.030 FEES

Electrical permit fees shall be as set forth in and adopted by resolution.

Chapter 15.12

ADOPTION OF A MECHANICAL CODE

Sections:
- 15.12.010 ADOPTION OF MECHANICAL CODE / FUEL GAS CODE
- 15.12.020 DEFINITIONS
- 15.12.030 FEES

15.12.010 ADOPTION OF MECHANICAL CODE / FUEL GAS CODE

(1) For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances within the State, pursuant to Chapter 56, Title 58 of Utah Code Annotated, and administrative rule making authority, the State of Utah through the Utah Uniform Building Codes Commission, has adopted statewide uniform technical construction codes, including amendments. The Mechanical Code and Fuel Gas Code together with the Administration sections of the Codes, are hereby fully incorporated as if set out at length herein, and from the effective date of this Chapter, the provisions thereof shall be controlling within the corporate limits of the City.

(2) Pursuant to Section 10-3-711, Utah Code Annotated, 1953 as amended, the Mechanical Code and Fuel Gas Code are available for use and examination by the public in the City Recorder's Office.

15.12.020 DEFINITIONS

(1) Whenever the word Jurisdiction is used in the Mechanical Code or Fuel Gas Code, it shall mean City of Logan, Utah.

(2) Whenever the words Department of Building Safety or Code Enforcement Agency are used in the Mechanical Code and Fuel Gas Code, they shall mean the Building Safety Division of the Department of Community Development, City of Logan.

15.12.030 FEES

Mechanical permit fees shall be as set forth in and adopted by resolution.
Chapter 15.16
PLUMBING CODE

Sections:
15.16.010 ADOPTION OF A PLUMBING CODE
15.16.020 DEFINITION
15.16.030 FEES

15.16.010 ADOPTION OF A PLUMBING CODE

(1) For the purpose of providing minimum requirements and standards for the protection of the public health, sanitation, safety and welfare by regulation the erection, installation, alteration, addition, repair, relocation, replacement, and maintenance or use of any plumbing system, within the State, pursuant to Chapter 56, Title 58 of Utah Code Annotated, and administrative rule making authority, the State of Utah through the Utah Uniform Building Codes Commission, has adopted statewide uniform technical construction codes, including amendments. The Plumbing Code is hereby fully incorporated, as adopted above, as if set out at length herein, and from the effective date of this Chapter, the provisions thereof shall be controlling within the corporate limits of the City.

(2) Pursuant to Section 10-3-711, Utah Code Annotated, 1953 as amended, the International Plumbing Code is available for use and examination by the public in the City Recorder's Office.

15.16.020 DEFINITION

Whenever the words Administrative Authority are used in the Plumbing Code, they shall mean the Building Safety Division, of the Department of Community Development.

15.16.030 FEES

Plumbing permit fees shall be as set forth in and adopted by resolution.

Chapter 15.18
MANUFACTURED HOUSING

Sections:
15.18.010 ADOPTION OF THE MANUFACTURED HOUSING CODE
15.18.020 DEFINITIONS
15.18.030 FEES
15.18.040 MANUFACTURED HOME OR MOBILE HOME PARK INSTALLATION REGULATIONS
15.18.050 MANUFACTURED HOME INSTALLATION AS REAL PROPERTY

15.18.010 ADOPTION OF THE MANUFACTURED HOUSING CODE

For the purpose of providing minimum requirements and standards for the protection of the public health, sanitation, safety and welfare by regulation the erection, installation, set-up, alteration, addition, repair, relocation, replacement, and maintenance or use of any manufactured housing, the Federal Manufactured Housing Construction and Safety Standards Act (HUD Code) as promulgated by the Department of Housing and Urban Development and published in the Federal Register as set forth in 24 CFR parts 3280 and 3282 as revised, and NCSBCS A225.1 Manufactured Home Installations promulgated by the National Conference of States on Building Codes and Standards (NCSBCS), including any amendments that have been adopted pursuant to Chapter 56, Title 58 of Utah Code Annotated, and administrative rule making authority, the State of Utah has adopted statewide uniform technical construction codes, is hereby adopted. The above Manufactured Housing Codes and Standards are hereby fully incorporated, as adopted above, as if set out at length herein, and from the effective date of this Chapter, the provisions thereof shall be controlling within the corporate limits of the City.

15.18.020 DEFINITIONS

(1) “Manufactured home” means a transport factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. All manufactured homes constructed on or after June 15, 1976, shall be identifiable by the manufacturer’s data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

(2) “Mobile home” means a transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured housing and Safety Standards Act (HUD Code).

15.18.030 FEES

Building permit fees shall be based on the total valuation of the proposed project as set forth in the 15.04.030, 15.08.030, 15.12.030 and 15.16.030 and as is set forth in and adopted by resolution.

15.18.040 MANUFACTURED HOME OR MOBILE HOME PARK INSTALLATION REGULATIONS
(1) Manufactured housing shall be limited to use as a single-family dwelling unit.

(2) Manufactured housing entering the city shall be limited to unaltered, undamaged, used and new manufactured homes meeting the cities snow load requirements or shall have a protective structure built over the home which meets the Building Code and the city’s snow load requirements.

(3) Accessory structures associated with the manufactured home shall be self supported and constructed to the requirements of the Building Code, Residential Code and or the HUD Code for manufactured housing. All accessory structure must be located behind all required set-backs.

(4) Permits are required for the moving, installation, repair of manufactured homes and all accessory structures, unless exempted form permits by other city codes.

15.18.050 MANUFACTURED HOME INSTALLATION AS REAL PROPERTY

(1) Manufactured homes shall be limited to use as a residential dwelling unit.

(2) Manufactured homes installed as real property shall be installed on a permanent footing and foundation meeting the requirements of the Building Code and/or Residential Code.

(3) Manufactured homes shall be new meeting the city’s snow load requirements. Manufactured homes shall have a minimum twenty-foot (20’) width.

Chapter 15.20

INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

15.20.010 ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE
15.20.020 DEFINITIONS
15.20.30 CODE CONSTRUED IN LIGHT OF STATE STATUTES

15.20.010 ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE

(1) For the purpose of providing a just, equitable and practicable method, to be cumulative with and in addition to, any other remedy provided by the Building Code or otherwise available at by law, whereby buildings or structures which from any cause endanger the life, limb, health, sanitation, property, safety or welfare of the general public
or their occupants may be required to be repaired, vacated or demolished, the entire current edition of the International Property Maintenance Code is hereby adopted as promulgated by International Code Council. The International Property Maintenance Code is hereby fully incorporated as if set out at length herein, and from the effective date of this Chapter, the provisions thereof shall be controlling within the corporate limits of the City.

(2) Pursuant to Section 10-3-711, Utah Code Annotated, 1953 as amended, the International Property Maintenance Code is available for use and examination by the public in the City Recorder's Office.

15.20.020 DEFINITIONS

Whenever the word Jurisdiction is used in the International Property Maintenance Code, it shall mean City of Logan, Utah.

15.20.030 CODE CONSTRUED IN LIGHT OF STATE STATUTES

(1) The International Property Maintenance Code shall be construed so as to give effect to the statutes of the State of Utah which authorize cities to abate dangerous buildings and shall not be construed as to require the City to follow a more restrictive procedure than that set forth in state statute.

(2) The City may attach the costs of abating a dangerous building pursuant to this Code to the property taxes as provided by state statute.

Chapter 15.22

APPEALS PROCEDURE AND ENFORCEMENT

Sections:
15.22.010 APPEAL PETITION
15.22.020 APPEALS BOARD
15.22.030 APPOINTMENT OF THE APPEALS BOARD
15.22.040 ORGANIZATION OF THE APPEALS BOARD
15.22.050 POWERS OF APPEALS BOARD
15.22.060 APPEALS FROM THE APPEALS BOARD
15.22.120 POWERS AND DUTIES OF THE BUILDING SAFETY DIVISION
15.22.130 PENALTIES
15.22.140 ENFORCEMENT.

15.22.010 APPEAL PETITION
In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of the technical codes, a petition shall be filed with the Building Inspection Division. The appeal shall be taken by filing a written notice of appeal, in letter form, to the Board of Appeals. Upon filing of any petition to the Appeals Board, the petitioner shall pay to the City a fee. Such fee shall be as is set forth in and adopted by resolution. The Appeals Board shall consider no petition until such fee has been paid.

15.22.020 APPEALS BOARD

There shall be one Appeals Board for all of the technical construction codes in this Title that make provisions for such a Board.

15.22.030 APPOINTMENT OF THE APPEALS BOARD

(1) The Mayor may appoint a five-member Appeals Board. The terms of the members of the Board shall be on a case-by-case basis or for such terms as the Mayor shall designate.

(2) Any vacancies shall be filled for the unexpired term of any member whose office becomes vacant.

15.22.040 ORGANIZATION OF THE APPEALS BOARD

(1) The Appeals Board shall elect a chairman and vice-chairman from among themselves.

(2) The Appeals Board may adopt rules of policy and procedure for the governing of meetings, its members and the performance of its duties.

15.22.050 POWERS OF APPEALS BOARD

The Appeals Board shall have only those powers expressly set forth in the adopted Codes under which it is acting.

15.22.060 APPEALS FROM THE APPEALS BOARD

Either the City or the other party may appeal any decision of the Appeals Board to the District Court. Such appeal shall be taken within 30 days of the rendering of a written decision by the Board.

15.22.120 POWERS AND DUTIES OF THE BUILDING SAFETY DIVISION.
(1) The Building Safety Division is hereby authorized to inspect or cause to be inspected all buildings and structures in the course of construction, modification, or repair.

(2) The Building Safety Division shall enforce all of the provisions of this Title, employing all legal means available to do so. The Chief Building Official is also an enforcement official and may designate any other division employee as an enforcement official.

(3) Any employee designated as an enforcement official is authorized to enter upon any property or premises to ascertain whether the provisions of the Codes; any applicable City or State Codes; or any conditions imposed by the Planning Commission, Board of Adjustment, or the Planning and Zoning Division are being obeyed and to make any examinations and surveys as may be necessary in the performance of the employee’s enforcement duties. This may include the taking of photographs, samples, or other physical evidence.

(4) All inspections, entries, examinations, and surveys shall be done in a reasonable manner based upon cause. If the property owner or person responsible for the property refuses to allow the employee to enter the property, the employee may obtain and execute a search warrant. The Building Safety Division may suspend or delay action on a building permit or other necessary approval if the person responsible for the property refuses to allow an inspection.

15.22.130 PENALTIES

Unless otherwise provided herein or by state or federal law, a violation of this Title shall be a Class B misdemeanor. Each day that the violation is committed or permitted to continue shall constitute a separate offense, and shall be punishable as such.

15.22.140 ENFORCEMENT

Unless otherwise provided, this Title may be enforced through the Administrative Code Enforcement Hearing Program established in Title 17 of the City Code, or by filing civil or criminal actions as provided by law. The City has sole discretion to decide whether to file a civil or criminal case for a violation. The City may file both, or one or the other. The possibility of an administrative remedy pursuant to Title 17 shall in no way interfere with the City’s right to prosecute violations of this Title as criminal offenses, or to seek any civil remedy to enjoin, prevent, or abate the violation. The City may use any of the remedies available under the law in both civil litigation and criminal prosecution. If the City chooses to file both civil and criminal charges for the same violation on the same day, no civil fines shall be assessed, but all other remedies shall be available.

Chapter 15.25

TENANT / LANDLORD RESPONSIBILITIES ORDINANCE
is hereby adopted as currently codified.
Chapter 15.26

UNIFORM HOUSING CODE

Sections:
15.26.101 ADOPTION OF UNIFORM HOUSING CODE.
15.26.102 AMENDMENTS TO UNIFORM HOUSING CODE.

15.26.101 ADOPTION OF UNIFORM HOUSING CODE.

(1) For the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the use and occupancy, location, and maintenance of all residential buildings and structures within the City, the entire 1997 edition of the Uniform Housing Code, as formulated by the International Conference of Building Officials, is hereby adopted with such deletions, modifications, exceptions, and other amendments as set forth in Section 15.26.102 below. The Uniform Housing Code, 1997 Edition, as adopted above, is hereby fully incorporated as if set out herein in its entirety, with the amendments as set forth in Section 15.24.102; and, from the effective date of this Chapter, the provisions thereof shall be controlling within the corporate limits of the City.

(2) Pursuant to Section 10-3-711, Utah Code Annotated 1953, as amended, the Uniform Housing Code, 1997 Edition, is available for use and examination by the public in the Office of the City Recorder.

15.26.102 AMENDMENTS TO UNIFORM HOUSING CODE.

The Uniform Housing Code, 1997 Edition, is amended to read as follows:

(1) Section 203 is amended by the addition of subsection 203.3 as follows:

203.3 Board. The housing advisory and appeals board described in this code shall be the appeals board established in Chapter 15.22 of the City of Logan, Municipal Code "Appeals Procedure."

(2) Section 1001.2, "Inadequate Sanitation," is amended by the addition of subsection 16 as follows:

16. Lack of window screens on all openable windows.

(4) Section 1001.8, "Faulty Weather Protection," is amended by the addition of subsection 5 as follows:

5. Missing Safety Glazing from openings that require safety glazing.
SECTION III. This ordinance shall take effect immediately upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS day of Nov., 2005 by the following vote:

AYES: [Signatures]
NAYS: [Signatures]
ABSENT: [Signatures]

ATTEST:

Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 15th day of November 2005.

Joseph C. Needham, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 15th day of November 2005.

Douglas E. Thompson, Mayor
LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARIES OF ORDINANCES amending the Logan Municipal Code, 1989, passed by the Logan Municipal Council, are as follows:

ORD. 05-109. An ordinance was adopted and approved November 15, 2005 repealing Sections 13.03.310 “Fee” and 13.08.320 “Fee amounts,” Title 13, Article II, Water Capital Improvement and Development.

ORD. 05-110. An ordinance was adopted and approved November 15, 2005 repealing Chapters 15.04, 15.06, 15.08, 15.12, 15.16, 15.20, 15.24, 15.28 and 15.32, Title 15, Buildings and Construction, and enacting the following chapters:
- 15.04 BUILDING CODE
- 15.06 RESIDENTIAL BUILDING CODE (ONE AND TWO FAMILY)
- 15.08 ELECTRICAL CODE
- 15.12 MECHANICAL CODE / FUEL GAS CODE
- 15.16 PLUMBING CODE
- 15.18 MANUFACTURED HOUSING CODES AND RECOGNIZED STANDARDS
- 15.20 INTERNATIONAL PROPERTY MAINTENANCE CODE
- 15.22 APPEALS PROCEDURE AND ENFORCEMENT
- 15.26 HOUSING CODE

The ordinance adopts current Uniform Building Code standards and provides that Building Permit Fees shall be set by resolution of the Municipal Council. Chapter 15.25, Tenant / Landlord Responsibilities Ordinance, remains as currently codified.

Ordinances are effective upon publication. Full texts may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main, during regular business hours.

Lois Price, Recorder
Publication Date: November 25, 2005