
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: March 2, 2010

SUBJECT: Proposed changes to Building Services Fees Ordinances

STAFF REPORT BY: Sylvia Richards, Policy Analyst

AFFECTED COUNCIL DISTRICTS: Citywide

ADMINISTRATIVE DEPT: Building Services

AND CONTACT PERSON: Orion Goff

UPDATED INFORMATION:

As discussed during the Work Session briefing on February 9th, the ordinance containing the proposed changes to Building Services fees has been amended as follows: Instead of charging \$1,000 to renew expired plans (plus \$113.00 dollars/hour, minimum of 2 hours), the Administration proposes the fee for renewing expired plans shall be ½ of the original plan review fee up to a maximum of \$1,000 (plus \$113 dollars/hour, minimum of 2 hours for plan review).

In response to a request from the City Council, the Building Services Division sent an email to familiarize their customers with the proposed ordinance changes. The email was sent to approximately 2,500 customers using the listserv, and included an announcement of the public hearing. *The Council may wish to note that in response, Building Services has received two comments with regards to the proposed fee changes; one from a community advocate and one from an architect. Both individuals expressed concern that the increase in fees may adversely influence small businesses. In addition, one individual claims that customers were not given sufficient time prior to the public hearing, and that the City did not hold an open house or notify the community councils.* The comments are attached to the staff report.

MOTIONS:

1. ["I move that the Council"] Close the hearing and defer a decision to a future Council meeting.
2. ["I move that the Council"] Close the hearing and adopt an ordinance allowing for expedited building plan review, limited renewal of expired building plan reviews, granting a one-time extension to certain plan review expiration dates, and amending sections 18.32.035 (fees) and 18.20.050 (building permit application, review and permit issuance conditions) of the Salt Lake City Code regarding fees for temporary certificates of occupancy.
3. ["I move that the Council"] Continue the public hearing to a future Council meeting.

The following information was previously provided in Council packets for the briefing on February 9, 2010. It is provided again for your information.

KEY ELEMENTS:

The Administration is proposing the following changes in fees for Council consideration:

- A. Fee for Expedited Plan Review (200% of the base permit fee)
- B. Fee for Extension of Plan Review Expiration (\$1,000 plus \$113.00 per hour with a minimum of 2 hours for plan review)
- C. Fee for Temporary Certificates of Occupancy (\$300.00 for each month after the initial 30 days)
- D. Under current Council policy, a public hearing is required for proposed fee increases.

BACKGROUND INFORMATION:

A. Proposed fee increase for Expedited Plan Review

According to the Administration, the City has received numerous requests for expedited plan review service for which customers are willing to pay.

The Administration indicates that City's plan review turn-around time (TAT) fluctuates between 3-5 weeks from December through March, and 8-11 weeks from April through November. Seasonal fluctuations in the construction and development industry create difficulties in maintaining adequate staffing especially during periods of high demand, according to the transmittal. Customers claim they would benefit financially if the City were to create a process for expedited plan review with a 10-21 day timeframe. According to the Administration, other jurisdictions including Portland, Seattle, San Jose and Phoenix, charge customers in the range of 150-300% of the base plan review fee. The Administration recommends charging customers double the permit fee (200%).

The Administration proposes to outsource expedited plan review to private contract firms during high demand periods, which would provide expedited review for customers willing to pay, avoid penalizing other projects already in process, and avoid using additional staff time. According to the transmittal, the expedited review fees would pay for the outsourcing. Currently, there are four firms under contract for outsourced review, and by contract, the firms are required to provide a TAT within ten days.

B. Proposed fee increase for extension of Plan Review Expiration

Utah law dictates that plan reviews expire after 180 days of inactivity. According to the transmittal, the building official is authorized to grant one or more extensions of time for justifiable cause not to exceed ninety days per extension. The Administration indicates the City is responsible for storing and monitoring the plans before the permits are issued. The transmittal notes that codes and ordinances could change substantially during any plan review period. In order to be renewed, plans must be re-submitted in their entirety and full plan review fees are charged again.

Using other jurisdictions' fee schedules as a comparison, the Administration proposes to charge \$1,000 to renew expired plan review after 180 days, plus \$113.00 dollars per hour for necessary plan review due to changes in code or ordinances with a 2-hour minimum. No plan review may be renewed after 3 years from the original submission date.

C. Proposed cost recovery fee for Temporary Certificates of Occupancy

The City issues temporary certificates of occupancy to allow new buildings to be occupied at the earliest time possible. State code indicates certificates of occupancy can be issued before the work is complete, only if the building can be occupied safely. Building officials determine the time period for which the temporary certificate is valid. Utah code allows the building official to adopt a fee schedule to provide for cost recovery of issuing tracking and enforcing on multiple temporary certificates.

The transmittal indicates the City expends time issuing, tracking, and enforcing Temporary Certificates of Occupancy. The Administration proposes to charge customers \$300.00 for each month after the initial 30-day Temporary Certificate of Occupancy is issued. Up to three renewals are allowed after the initial 30-days.

- D. According to the Administration, all of the proposed fees are voluntary. The City Attorney has confirmed that Utah law allows for the fee increases as long as they are voluntary.
- E. The Administration indicates that the Business Advisory Board received a presentation regarding the proposed fees approximately one year ago.
- F. If the proposed fees are adopted by the Council, the Administration will send a notice via email and regular mail to those who may be affected, and then allow 60 days to lapse before implementing the new fees.

MATTERS AT ISSUE:

For plan review extensions, the Council may wish to explore further with the Administration how to make the proposed fees equitable. As currently proposed, the fee would be \$1,000 with no differentiation between large and small projects.

If the new fees are adopted, the Council may wish to request an update regarding the extent of cost recovery during the annual budget process.

BUDGET RELATED FACTS:

The Administration anticipates that the proposed fees will increase City revenues, although the extent of cost recovery is currently unknown. The transmittal suggests that the revenue from the expedited plan review will pay for the outsource fees as well as the staff resources to provide quality control for the work.

Revenues from plan review extensions may be used to recover costs associated with storing and monitoring the plans before the permit is issued.

For the temporary certificates of occupancy, it is currently unknown whether revenues received will constitute a full cost recovery. The Administration will have a better understanding after a trial period is completed.

cc: David Everitt, Ed Rutan, Frank Gray, Mary DeLaMare-Schaefer, Wilf Sommerkorn, Pat Comarell, Gordon Hoskins, Gina Chamness, Orion Goff, Paul Nielson, Larry Butcher, Brent Beck

February 20, 2010

Orion Goff, Director
Division of Building Services
Salt Lake City Corporation

Re: Expedited Plan Review Ordinance

Dear Orion,

I am responding to the proposed change affecting your processes of plan review for building permits in Salt Lake City.

First I would like to congratulate you on successfully transforming many of your zoning and permit review processes. During the past ten years I have been the applicant, permit requester, or architect of record on over 75 separate project permits within Salt Lake City. My perception is that you have successfully transformed what could have been called the "rawhide counter" era where negotiating and haggling with plan checkers over a counter has been replaced by a more transparent and predictable process. I really appreciate the opportunity to sit with a reviewer to discuss zoning & code issues and to receive Design Review Team feedback or a preliminary zoning interpretation.

On several occasions, however, my projects have been outsourced to private contract firms for building code review. This was not at my request or done for plan expediting. My experience in these situations was not positive. On more than one occasion I was forced to drive from Salt Lake to Draper to deliver drawings and communicate with hired outsourced reviewers in order to avoid days of delays due to plans routing. Outsourcing plans is not a good idea unless the city has a mechanism to maintain continuity between applicant and Building Services staff.

In regard to expedited plan review fees, it is my opinion the current economic conditions that plan review fees and assessments are being more closely reviewed by building owners and that there would need to be a clear benefit to applicants to justify doubling the review fee for plan expediting. I further have the concern that as an applicant requesting your best service as public servants, I will be directed to "pay up" for excellent service or wait my turn. If plan review becomes separated by class then am I and my clients forced to double the plan review fee or become second class citizens?

As you consider special fees for services I am reminded of the discussion several years ago about how to provide incentive to the construction industry to build greener, sustainable buildings and

sites using LEED as a standard for high performance building. As the dialog progressed with the City and the design & construction community, however, I was disappointed that the outcome of this was to require another fee, this in the form of a bond, presumably to ensure LEED compliance. This measure in my mind had the effect of dousing cold water on potential green builders rather than the goal of encouraging green building practices and energy efficiency. Would it not be more efficient to provide a complimentary LEED checklist screening and expedite projects that on plan intake, provide a clear description of LEED features because with that kind of attention to detail by the applicant up front, the plan review should be clearer and thereby more efficient for your building code review process?

As an architect in the digital age and in this competitive market I and my staff are required to be more accessible & quicker responding to our clients than we were just a few years ago with images, drawings and communication, focusing on intelligent efficiency and using technology as we can afford it to provide design services in this new economy. I would similarly encourage you and your department to continue to respond to the challenge of the current economic downturn and Salt Lake City's budgetary challenges by capturing efficiencies that you may now have through a broader use of the Citizens Access Portal and other features of Acela and the expanded use of ProjectDox and other technologies rather than creating a two-tiered service model.

I am interested and willing to participate in further discussion regarding how to realize the best results for permit services to the citizens of Salt Lake and your development partners and again appreciate the efforts you make at Building Services to make Salt Lake a great place to live, work and play.

Sincerely,



Warren K. Lloyd AIA LEED AP

cc. Frank Gray
Wilf Sommercorn

Sent: Monday, February 22, 2010 1:59 PM
To: Farrington, Bob; Akerlow, Michael
Cc: Goff, Orion; Gust-Jenson, Cindy; Penfold, Stan; Garrott, Luke
Subject: FW: Expedited Plan Review Ordinance Public Hearing

Bob and Mike-I received this message from Orion Goff recently. While the text reads well, it is certainly not consistent with my experience as a landlord trying to comply with the City's housing, licensing, and permitting requirements. The process may indeed be easier for professionals in development such as architects and contractors; it is anything but easy for me.

I am writing you because this announcement is the first notice that I've received regarding the changes, and the public hearing is scheduled on March 2. As far as I can tell, this will be the only opportunity for public comment. I have not received any information about an open house or any other type of event for stakeholders. As far as I can tell, the Business Advisory Board has not been contacted. I am confident that the community councils have not either. I am contacting you because the permitting process is very much a business issue and has a significant impact on the cost of doing business in Salt Lake.

Thanks for you recent efforts on behalf of small business people. I consider myself a beneficiary. cindy cromer

> From: BuildingServices@slcgov.com
> Subject: Expedited Plan Review Ordinance Public Hearing
> Date: Tue, 16 Feb 2010 16:05:15 -0700
>
> This information was sent with automated software and is not monitored for replies. BuildingServices@slcgov.com is the group responsible for this information.
>
> Hello, my name is Orion Goff. I am the director of the Division of Building Services in the Department of Community Development in Salt Lake City. I hope this message finds you thriving.
>
> We have been working hard to streamline our processes here in Salt Lake City. Many of you have participated in that initiative, helping with early testing and continual feedback on the products and processes. Many of you are now receiving real-time inspection results via wireless devices; scheduling inspections on our internet web-scheduler; accessing all of your permit information through the internet at the Citizens Access Portal; and some of you are even submitting your plans and paying the plan review fees electronically via the internet using our latest software tool, ProjectDox. We are now working on a new Interactive Voice Response (IVR) system that will provide enhanced inspection request, results and zoning information via the existing telephone lines and number.
>
> This represents significant changes in the way we do our daily business with you. We believe the City is an improved partner in the development process through these initiatives; not to mention better stewards of the environment due to the elimination of hundreds of thousands of tons of paper and thousands of trips to City Hall.
>
> In an effort to continue on this pathway towards improved customer service, we have proposed some additional changes to our process and fees that require approval from City Council, a public hearing, and changes to the City Code. I am attaching the transmittal and the proposed ordinance change for your review. The public will also have an opportunity to

comment on this at the City Councils regular session on March 2, 2010 at 7:00 PM at the City & County Building, 451 S. State Street.

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> Please follow the link provided below to access the transmittal and proposed ordinance change. This information will help you understand our latest efforts to improve our support in the development process.

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> Thanks for your time. Have a great day!

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> <http://www.slcgov.com/council/agendas/2010agendas/Feb9/020910A1H4.pdf>

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FRANK B. GRAY
DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR



RALPH BECKER
MAYOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.
DEPUTY DIRECTOR

CITY COUNCIL TRANSMITTAL

David Everitt, Chief of Staff

Date Received: 12-11-09

Date Sent to City Council: 12/15/2009

TO: Salt Lake City Council
Carlton Christensen, Council Chair

DATE: November 20, 2009

FROM: Frank Gray, Community & Economic Development Director

RE: Request to add to portions of Section 18.32.035 'Fee Schedule'

STAFF CONTACTS: Orion Goff, Building Services Director, 801-535-6681
Paul Nielson, Senior City Attorney, 801-535-6799
Larry Butcher, Building Services, 801-535-6181

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: Proposed fees will increase revenue from the Building Services Division

DISCUSSION:

Issue Origin: The changes proposed in this transmittal are in direct response to numerous customer requests to offer additional options in the application, review, inspections and approvals of construction and development in Salt Lake City. The specific options studied and discussed in this transmittal are:

- Expedited Plan Review
 - Many jurisdictions offer this service for an additional fee. We are recommending Salt Lake City charge 200% of the base plan review fee for those who would like their plan reviews expedited. We also have the option of outsourcing expedited plan reviews. State Code allows us to charge the cost to do the review or 65% of the permit fee, whichever is greater. The City currently has four private firms under contract for building and fire code plan review.

- Extension of Plan Review Expiration
 - Because Salt Lake City Code is silent on the issue of plan review expiration, Building Services is required to abide by State Building Code, which states that plan reviews expire after 180 days of inactivity. Extending the time before plan reviews expire will allow customers more time to secure funding, and not require them to have to resubmit their plans and pay a new set of fees.
- Temporary Certificates of Occupancy
 - A disproportionate amount of resources are expended to issue, track, and enforce Temporary Certificates of Occupancy. Establishing a fee for these certificates will help Building Services recover some of the costs associated with administering this policy and motivate customers to complete the approval process.

The proposals will not create a negative impact on revenue. Temporary Certificates of Occupancy agreements will actually increase City revenue; to what extent will not be known until after a trial period. All of the proposals demonstrate our willingness to partner with customers for successful development in Salt Lake City by providing them additional tools and options throughout the plan review and permitting process.

Analysis:

Expedited Plan Review

In the construction and development industry, “time is money”. Any time gained in the plan review and permitting process, according to our customers, is money saved and pleased customers for them. In-house plan review stakeholders across multiple City Divisions and Departments receive numerous requests for expedited plan review service. Customers have indicated that a program that would facilitate an expedited plan review and permitting process is needed and has been accommodated in other jurisdiction on the Wasatch Front and in other regions.

The cyclical and seasonal nature of the construction and development industry makes it is very difficult to maintain consistent plan review turn-around-times without frequently altering staffing levels. Due to the major investment in training and experience for technical review staff, it is impossible to reasonably adjust staffing levels to compensate for the seasonal fluctuations in the industry.

Historically, due to the seasonal nature of the industry, plan review turn-around-time (TAT) for initial review varies from a high of 11 weeks to a low of 2-3 weeks. (December through March the TAT averages 3-5 calendar weeks; from April through November the review may take 8-11 calendar weeks.) Many customers believe they would benefit financially if plan review first comments could be accomplished consistently in the 10-21 day timeframe and have voiced their willingness to pay extra fees for that option. Benchmarking of other jurisdictions indicates that viable options exist to accomplish expedited review with an additional fee which would be paid by the private developer. Research indicates that expedited review is offered by other jurisdictions at a cost to the customer of 150-300% of the base plan review fee. Our recommendation is double (200%) the permit fee.

A viable alternative is to outsource the review to private contract firms during the peak periods of demand. This alternative accomplishes two goals: 1) providing the expedited review to those willing to pay for it, and 2) not penalizing other projects in the queue with additional review delays as a result of taking staff review time. Historically the City has used outsourcing plan review with some success. It requires additional dedication of staff resources to oversee the outsourced plans, to quality control (QC) the work, and to process the plans for approval. The cost of this process is not easily managed in the current budget model. Money to pay for the outsourcing outside the budgetary process requires multiple budget amendments or a yearly budget item to cover the estimated cost. Estimating the cost is also difficult due to fluctuating demand. The current scenario does not compensate the City for the staff time needed to monitor and administer the program.

State statute limits the amount local jurisdictions charge for building plan review services. The amount is limited to the cost to the local jurisdiction to do the review or 65% of the permit fee, whichever is greater. Under these auspices it is reasonable to charge customers extra for expedited review as all expedited plans will be outsourced. The additional revenue will be utilized to pay the contract private outsource firms for the review and to cover the City's overhead to administer and QC the outsourced reviews. Salt Lake City Corporation currently has four private firms under contract for building and fire code review; each firm is contractually required to guarantee TAT within 10 business days.

Extension of Plan Review Expiration

Salt Lake City Building Services currently has several major projects (over five-million dollars in valuation) whose plan reviews will expire according to the State Building Code. Customers attribute this scenario to current market conditions. Customers have paid hundreds of thousands of dollars for plan review, and most of these projects are through the plan review process and ready for permit issuance. However, most of these customers cannot pay for the permit and commence construction due to economic conditions; according to them, lenders have pulled back approvals for financing the projects.

The Salt Lake City Code is silent on the issue of plan review expiration. Therefore, Building Services is constrained to abide by the State Building Code Requirements, which are specific on Plan Review Expiration in The International Building Code (IBC) Section 105.3, as follows:

Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

According to this code section, applicants are allowed 180 days of continuous activity to obtain approval on their plans and pay for the permit. The Code allows for extensions for "justifiable cause," which is up to the discretion of the Building Official. The conditions by which the

permit can be extended are not addressed in the IBC even though there is considerable cost to the jurisdiction for storing and monitoring the plans before the permit is issued.

Another factor that must be considered is that codes and ordinances may change substantially during any given plan review period. The proposed new fee schedule (see page 3 in the attached proposed ordinance) assures a fair and orderly process for extensions to plan reviews. It also proposes subsequent equitable charges to renew those reviews, that otherwise, according to the IBC, would expire and have to be resubmitted in their entirety with new plans and full fees for plan review.

Cost-Recovery of Temporary Certificate of Occupancy (C of O)

Building owners, contractors, and developers exert a great deal of pressure on the Building Services Division to allow new buildings to be occupied as soon as possible. The current State Building Code provides a section allowing building officials to accommodate that need, as contained in the IBC Section 110.3:

Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

A high percentage of projects rely on the ability to obtain Temporary Certificates of Occupancy as provided in the Code. The building code, however, makes no provision for an orderly process in regards to Temporary Certificates of Occupancy. The Code does, however, give the building official authority to adopt a fee schedule that provides cost-recovery for the program.

Experience has shown that there is a great deal of effort expended by the local jurisdiction to issue, track, and enforce Temporary Certificates of Occupancy. The proposed addition to the fee schedule provides means for cost-recovery for administering this policy while providing the customer service it affords.

PUBLIC PROCESS:

The City is required to hold a public hearing before adopting this ordinance.

RELEVANT ORDINANCES:

Section 18.32.035 (Fee Schedule)

SALT LAKE CITY ORDINANCE

No. _____ of 2010

(An ordinance allowing for expedited building plan review, limited renewal of expired building plan reviews, granting a one-time extension to certain plan review expiration dates, and amending sections 18.32.035 (fees) and 18.20.050 (building permit application, review and permit issuance conditions) of the *Salt Lake City Code* regarding fees for temporary certificates of occupancy.)

An ordinance amending section 18.32.035 (fees) of the *Salt Lake City Code* pertaining to fees for temporary certificates of occupancy, expedited plan reviews, and expired plan review renewal; amending section 18.20.050 (building permit application, review, and permit issuance conditions) of the *Salt Lake City Code* allowing expedited review of building permit plans and limited renewal of expired plan reviews; and providing a one-time extension of certain expired plan reviews.

WHEREAS, Section 105.3.2 of the 2006 International Building Code, as adopted in Section 18.32.020 Of the Salt Lake City Code, contains a 180-day time limit for expiration of building plan reviews (also known as "plan check"); such expiration provisions address applicant inaction, not City inaction; and

WHEREAS, due to the current crisis in the financial markets and development industry that has created significant obstacles to obtaining development project financing, many development projects will likely be subject to building plan review expiration; and

WHEREAS, the expiration of plan reviews (also known as "plan check") will require such projects to go through the plan review process again, resulting in costly delays that may ultimately require those projects to be permanently shelved, likely causing further disruption to the local economy and local property tax base; and

WHEREAS, the Council finds there is an immediate need to preserve public

health, safety and welfare insofar as certain building plan checks will expire within the next year which may likely cause further disruption to the local economy and the City's property tax base; and

WHEREAS, extending the expiration dates of the plan reviews subject to this ordinance until December 31, 2010 will allow the City to maintain the status quo so that the City can analyze additional measures that may be necessary to address the current financial crisis and its impact on development within the City.

WHEREAS, this ordinance expresses the intent of the City Council to promote a more efficient plan review process and, without which there is the potential that plan review expiration could result in insurmountable financial burden caused by starting the review process over, negative impacts to applicants' rights by potential ordinance and code amendments; and

WHEREAS, extending plan review expiration dates to December 31, 2010 of those building plan reviews that were/are scheduled to expire on or after January 1, 2008, will provide a reasonable increase in the time limit to obtain building permits; and

WHEREAS, it is in the best interests of the City and its citizens to extend to December 31, 2010 the expiration dates for building plan reviews that were/are scheduled to expire on or after January 1, 2008, insofar as such extension of time would be beneficial to the City's customers, would preserve vested rights and would be consistent with all other existing statutory requirements; and

WHEREAS, it is in the best interests of the City and its citizens for the City to charge a fee for the issuance of each temporary certificate of occupancy;

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 18.32.035 of the *Salt Lake City Code (Fees)* shall be and

hereby is amended to read as follows:

Building permit fees shall be based on the total valuation of the proposed project as set forth in the following table:

Total Valuation	Fee
\$1.00 to \$500.00	\$31.23
\$501.00 to \$2,000.00	\$31.23 for the first \$500.00 plus \$4.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$92.02 for the first \$2,000.00 plus \$18.60 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$520.59 for the first \$25,000.00 plus \$13.42 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$855.47 for the first \$50,000.00 plus \$9.30 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,320.57 for the first \$100,000.00 plus \$7.44 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$4,297.27 for the first \$500,000.00 plus \$6.31 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$7,453.36 for the first \$1,000,000.00 plus \$4.85 for each additional \$1,000.00, or fraction thereof

Plan review fees shall be sixty five percent (65%) of the building permit fees.

Fees to expedite building plan review as governed by section 18.20.050 of this code shall be 2 times the standard building plan review fee.

Penalties for not obtaining Permanent Certificate of Occupancy will be \$300 dollars for each month, after the initial 30 day Temporary Certificate of Occupancy, which has no additional cost associated with it; due before the first of the month and only allowed for up to three renewals after the initial free 30 day period. Partial months will not be refunded.

Fees for renewing expired plan review after 180 days as governed by section 18.20.110 of this code shall be ½ of the original plan review fee up to a maximum of \$1,000, plus \$113 dollars an hour for review necessitated by changes in codes and ordinances (two-hour minimum).

Other fees shall consist of electrical, mechanical and plumbing fees as set forth in sections 18.36.100 through 18.36.130, 18.52.050, and 18.56.040 of this title or their successor sections.

SECTION 2. That Section 18.20.050 of the *Salt Lake City Code* (Application; Review; Permit Issuance Conditions) shall be and hereby is amended to read as follows:

- A. Except as provided in paragraph B. of this section, the application plans and data filed by an applicant for a building permit shall be checked by the building official. Said application may be reviewed by other government agencies or departments to check compliance with the laws and ordinances under their jurisdiction. If the building official is satisfied that the work described in an application for a building permit and plans filed therewith conform to the requirements of this title and other pertinent ordinances and laws and that the required fees have been paid, the building official shall issue a permit therefor to the applicant. The building official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this title. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.
- B. Expedited plan review. A building permit applicant may seek an expedited building plan review, provided that the applicant pay the expedited plan review fee set forth in section 18.32.035 of this code. The expedited building plan review may be conducted by a qualified third party with significant experience conducting building plan reviews, as selected and approved by the Building Official. The person(s) assigned to conduct the expedited building plan review shall provide initial comments, including corrections to be made to the building plans, within ten (10) business days of the date the application was filed.
- C. Plan review expiration. If a building permit applicant fails to submit corrected building plans in accordance with the comments and requirements of the Building Services Division or its authorized representative within 180 days of the Division transmitting such comments and requirements to the applicant, or if the applicant fails to pay the required building permit fee within 180 days of the Division informing the applicant that its building plans are approved and the building permit fee is due, the plan review shall expire at the end of such period and the review become null and void. An expired plan review may be renewed, provided that the applicant pay the plan review renewal fee established in section 18.32.035 of this code, however, no plan review may be renewed after three years from the original submission date.

SECTION 3. That, notwithstanding the provisions of section 18.20.110 of the *Salt Lake City Code*, building plan reviews that expired or are scheduled to expire on or after January 1, 2008 but not after December 31, 2010 shall be and are hereby deemed to have a new expiration date of December 31, 2010, provided that such deadline extension is not otherwise inconsistent with state law. The benefit of an extended plan review expiration date provided by this provision may be waived at the applicant's request.

SECTION 4. Effective Date: This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2010.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2010.

Published: _____.

HB_ATTY-#8561-v6-Ordinance_-_expedited_plan_review_and_extensions.DOC

APPROVED AS TO FORM Salt Lake City Attorney's Office Date: <u>FEBRUARY 16, 2010</u> By: <u>Paul C. Nielson</u> Paul C. Nielson, Senior City Attorney
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