

Ordinance No. 11-27

**AN ORDINANCE AMENDING TITLE 11 CHAPTER 13 – IMPACT FEES
OF THE MUNICIPAL CODE OF PARK CITY, UTAH**

WHEREAS, Park City Municipal Corporation is a political subdivision of the state of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, the assessment of non-residential water impact fees needs to be updated to be consistent with the International Building Code; and

WHEREAS, a public hearing was duly advertised and held on October 13, 2011;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Park City, Utah that:

SECTION 1. AMENDMENT TO THE MUNICIPAL CODE OF PARK CITY, UTAH
ADOPTED: Amendment to 11-13-2 of the Municipal Code of Park City is hereby amended as shown on Exhibit A.

SECTION 2. AMENDMENT TO THE MUNICIPAL CODE OF PARK CITY, UTAH
ADOPTED: Amendment to 11-3-1, 11-4-1, 11-7-1, 11-8-1, 11-9-1 and 11-12-2 of the Municipal Code of Park City is hereby amended as shown on Exhibit B.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 1st day of December, 2011.

PARK CITY MUNICIPAL CORPORATION



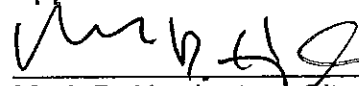
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney

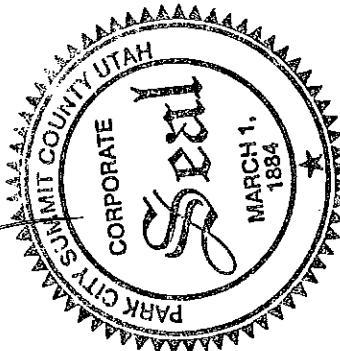


Exhibit A

(2) Water Impact Fee Schedule:

Non-Residential Water Impact Fees			
Property Type	EDU Per Occupant	Floor Area Per Occupant	Fee Per Occupant
Assembly (without Fixed Seats)			
Bar	0.0125	715	\$ 288
Restaurant	0.0219	715	\$ 505
Theater, Auditorium, Church	0.0031	7	\$ 71
Assembly (with Fixed Seats)			
Bar	0.0125	NA	\$ 288
Restaurant	0.0219	NA	\$ 505
Theater, Auditorium, Church	0.0031	NA	\$ 71
Office	0.0094	100	\$ 217
Educational			
Classroom	0.0156	20	\$ 360
Shop/Vocational	0.0156	50	\$ 360
Exercise Area	0.0156	50	\$ 360
Hotel/Motel	0.0938	580	\$2,162
Industrial	Calculated		Calculated
Institutional			
Inpatient Treatment	0.1563	240	\$3,603
Outpatient Treatment	0.0031		Calculated
Sleeping Area	0.0031		Calculated
Other	Calculated		Calculated
Retail	0.007	60	\$ 161
Swimming Pool or Skating Rink			
Rink or Pool Area	0.0063	50	\$ 145
Decks	Calculated		Calculated
Warehouse	Calculated		Calculated
Parking Garage	Calculated		Calculated
Government	Calculated		Calculated
Library			
Reading Area	Calculated		Calculated
Stack Area	Calculated		Calculated

Residential Indoor Water Impact Fees						
Size (SF)	<1000	1001-1500	1501-3000	3001-4500	4501-6000	>6000
Fee	\$3,573	\$5,359	\$7,145	\$8,931	\$10,718	\$12,504
Residential Outdoor (Landscaping) Water Impact Fees						
Irrigated Area (SF)	0-2000	2001-4000	4001-6000	6001-8000	8001-10000	>10000
Fee	\$2,996	\$5,762	\$8,759	\$11,525	\$14,521	\$1441
per 1,000 SF						

(Amended by Ord. Nos. 96-12; 01-37; 03-05; 05-37; 07-35)

Exhibit B

EXHIBIT B

CHAPTER 3 - BUILDING CODE AND RESIDENTIAL CODE

11- 3- 1. INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE ADOPTED.

The International Building Code and International Residential Code, 2006 ~~2009~~ edition, establishing rules and regulations for the design, construction quality of materials, use and occupancy, location and maintenance of building and structures, as adopted by the International Code Council, is hereby adopted as the Building Code of Park City, together with Rule R156-56 of the Utah Administrative Code, and the following Amendments.

(A) Appendix Chapter E, located in the appendix of the International Building Code are adopted and incorporated herein with an Amendment to Appendix ~~K~~ J as follows: Except as specified in Section ~~K-4-3-4~~ J103 of this section, no person shall do any grading or removing or grubbing existing vegetation without first having obtained a grading permit from the Building Official. Appendix Chapter P located in the Appendix of the International Residential Code, 2006 edition.

(B) **BUILDING PERMIT FEES**. A fee for each building permit shall be paid to the Building Official as set forth by fee resolution as adopted by the Park City Council.

(C) Section 901.2 AUTOMATIC FIRE EXTINGUISHING SYSTEMS is hereby amended by adding the following wording:
PURPOSE. The purpose of this section is to establish minimum standards to safeguard life, health, property, public welfare and to protect the owners and occupants of structures within Park City by regulating and controlling the design and construction of buildings and structures.

(Amended by Ord. Nos. 02-32; 06-87)

11- 3- 2. AUTOMATIC FIRE EXTINGUISHING SYSTEMS.

The following newly constructed structures of buildings used for or to be used for human occupancy shall have an automatic fire extinguishing system installed in conformity with the requirements of the International Fire Code Section 903.1 and the following amendments:

- (A) All new construction having more than 6,000 square feet on any floor.
- (B) All new construction having more than two stories.
- (C) All new construction in the Historic Commercial Business zone district, regardless of occupancy.

(D) All new construction and buildings in the General Commercial zone where there are no side-yard setbacks or where one or more of the side yard setbacks are less than two and one-half feet per story of height.

(Amended by Ord. Nos. 02-32; 06-87)

CHAPTER 4 - MECHANICAL CODE AND FUEL GAS CODE

11- 4- 1. MECHANICAL CODE AND FUEL GAS CODE.

The International Mechanical Code and Fuel Gas Code, ~~2006~~ 2009 edition establishing rules and regulations for the design, construction quality of materials, use and occupancy, location and maintenance of building and structures, as adopted by the International Code Council is hereby adopted as the Mechanical Code of Park City.

(Amended by Ord. Nos. 02-32; 06-87)

CHAPTER 5 - UNIFORM HOUSING CODE

11- 5- 1. HOUSING CODE.

The Uniform Housing Code, 1997 edition, printed as code in book form, and adopted by the International Conference of Building Officials, providing minimum requirements for the protection of life, limb, health, safety and welfare of the general public and the owners and occupants of residential buildings is hereby adopted as the Housing Code of Park City.

(A) **APPLICATION**. The provisions of the Housing Code shall apply to all buildings or portions thereof used, or designed for or intended to be used for human habitation. Occupancies in existing buildings may be continued as provided in Section 3402 of the International Building Code, except as to those structures found to be substandard as defined in the Housing Code.

(B) **VIOLATIONS**. It shall be unlawful for any person, firm or corporation whether as owner, lessee, sublessee, or occupant to erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building or premises or cause or permit the same to be done, contrary to or in violation of any of the provisions of Housing Code or any order issued by the Building Official pursuant thereto.

(C) **PERMITS AND INSPECTIONS**. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure, or cause or permit the same to be done, without first obtaining a separate building permit for each such building or structure from the Building Official in the manner and according to the applicable conditions prescribed in the Housing Code.

(Amended by Ord. No. 02-32)

CHAPTER 6 - UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

11- 6- 1. ADOPTION OF A CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS.

The "Uniform Code for the Abatement of Dangerous Buildings, 1997 edition," printed as a code in book form and adopted by the International Code Council, providing for a just, equitable and practicable method whereby buildings or structure which from any cause endanger the life, limb, health, morals property, safety or welfare of the general public or their occupants, may be required to be repaired, vacated, or demolished, is hereby adopted as the Abatement of Dangerous Buildings Code for Park City.

(Amended by Ord. No. 02-32)

CHAPTER 7 - PLUMBING CODE

11- 7- 1. ADOPTION OF INTERNATIONAL PLUMBING CODE.

The International Plumbing Code ~~2006~~ 2009 edition, as promulgated by the International Code Council, is hereby approved and adopted as the plumbing code of Park City. Section 106.1 of the International Plumbing Code is amended as follows:

(A) **PLUMBING PERMITS.** No new construction, alterations, or additions to existing plumbing shall be installed without first obtaining a permit and a fee paid according to Park City's fee resolution.

(B) **PLUMBING INSPECTIONS.** The Building Official shall perform all functions of plumbing inspection and shall, among other things, inspect the construction, installation and repair of all plumbing fixtures and appliances and apparatus connected with a plumbing system which are installed within the limits of Park City and shall require that they conform to the provisions of the Plumbing Code.

(Amended by Ord. Nos. 02-32; 06-87)

CHAPTER 8 - NATIONAL ELECTRICAL CODE

11- 8- 1. ADOPTION OF NATIONAL ELECTRICAL CODE.

The National Electrical Code, ~~2005~~ 2008 edition, as adopted by the National Fire Protection Association printed as a code in book form is hereby approved and adopted as the electrical code of this City, including all Park City and state amendments which are incorporated herein by this reference.

(A) **ELECTRICAL INSPECTION.** The Building Official shall perform all functions of electrical inspection and shall, among other things, inspect the construction, installation,

and repair of all electrical light or power wiring, fixtures, appliances or apparatus installed within the limits of this municipality and shall require that they conform to the provisions of the Electrical Code. The Building Official shall follow as to electrical work the procedures relating to enforcement and safety as are established by the International Building Code.

(B) **PERMITS, INSPECTIONS AND FEES**. No alterations or additions shall be made in existing wiring, nor shall any new wiring be installed or any apparatus which generates, transmits, transforms or utilizes any electricity be installed without first obtaining a permit therefore. Applications for such permit, describing such work, shall be made in writing. The fee for electrical permits is set forth in Park City fee resolution.

(Amended by Ord. Nos. 02-32; 06-87)

CHAPTER 9 - FIRE CODE

11- 9- 1. INTERNATIONAL FIRE CODE.

The International Fire Code, ~~2006~~ 2009 edition as promulgated by the International Code Council is hereby adopted as the Fire Code of Park City, ~~with the following amendments to section 304.1:~~

Appendix P shall read as follows:

~~AP101 Fire Sprinklers. An approved automatic fire sprinkler system shall be installed in new one and two family dwellings and townhouses in accordance with Section 903.3.4 of the International Building Code.~~

(A) **REMOVAL OF DEBRIS** All debris created from a fire shall be removed and the property restored to normal condition within ninety (90) days after the fire or as soon as the property is released by the State Fire Marshal, the Park City Building Official, or insurance adjuster, whichever is later. In the event the debris is not cleared, such debris shall be declared a nuisance and removed by the City at the expense of the property owner.

(B) **REQUIRED PERMITS**. All applications for permits required by the Fire Code shall be made to the Building Official in such form and detail as he shall prescribe. All applications for permits shall be accompanied by such plans as required by the Building Official and fees paid as per the fee resolution.

(Amended by Ord. Nos. 02-32; 06-87)

11- 9- 2. AUTHORITY AND DUTY OF POLICE PERSONNEL TO ASSIST IN ENFORCEMENT

Whenever requested to do so by the Building Official, the Chief of Police shall assign such available police officers as in his discretion may be necessary to assist the Building Official in enforcing the provisions of this Code.

(Amended by Ord. No. 02-32)

CHAPTER 10 - UNIFORM SIGN CODE

11-10- 1. UNIFORM SIGN CODE ADOPTED.

The Uniform Sign Code, 1997 edition, as adopted by the International Conference of Building Officials and printed as a code in book form is hereby approved and adopted with the following amendment to table 4-B as the Uniform Sign Code of this City:

TABLE 4-B - PROJECTION OF SIGNS

CLEARANCE (feet)	MAXIMUM PROJECTION (feet)
x 304.8 for mm	x 304.8 for mm
Less than 8	Not permitted
8	3
8 to 16	1 plus 0.5 for each foot of clearance in excess of 8
Over 16	5

CHAPTER 11 - RIGHT OF ENTRY

11-11- 1. RIGHT OF REASONABLE ENTRY.

Whenever necessary to make an inspection to enforce any of the provisions of any code adopted pursuant to this Title, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises unsafe, substandard, or dangerous, as defined in the applicable sections of the codes, any condition that makes such building or premises dangerous, the Building Official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the Building Official, provided that:

- (A) If such building or premises be occupied, he shall first present proper credentials and demand entry; and
- (B) If such building or premises are unoccupied, he shall first make a reasonable

effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Building Official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

11-11- 2. FAILURE OR NEGLECT TO PROMPTLY PERMIT ENTRY PROHIBITED.

No owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper demand is made as herein provided, to promptly permit entry therein by the Building Official or his authorized representative for the purpose of inspection and examination pursuant to any provisions of any of the codes adopted pursuant to this Title.

(Amended by Ord. No. 02-32)

CHAPTER 12 - FEES

11-12- 1. PAYMENT OF FEES.

Whenever a fee is required by this Title or any schedule or resolution adopted by the City pursuant to this Title, such fees shall be paid to the Finance Department.

11-12- 2. BUILDING PERMIT FEES.

A fee for each building permit, electrical permit, plumbing permit, mechanical permit, and fire permit shall be paid to the City in such amount as shall be established from time to time by resolution duly enacted by the governing body.

The determination of value or valuation under any of the provisions of the International Building Code as adopted by the City Council, shall be made by the Building Official on the basis of the ~~ICBO Building Standards~~ ICC, subject to the approval of the City Manager.

11-12- 3. PLAN CHECK FEES.

A fee, as established by resolution, for the review and approval of building construction plans by the Building Department shall be paid to the Building Official.

On buildings requiring plan checks at the time of building permit application, the applicant shall pay a deposit, which is established by resolution. This deposit shall be credited against the plan check fee when the permit is issued. This deposit is non-refundable in the event permits are not issued.