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14.90.115 Closure / Expiration of a Building Permit

A building permit issued by Sanpete County will be closed once a Certificate of Occupancy or notification of passing final inspection has been issued. Every permit issued shall expire by limitation and become null and void in 180 days from the date of issue. The 180-day period starts anew every time a building inspector passes a required inspection of the building or work authorized by the permit. An extension may be granted by the Building Official when he/she has determined that circumstances exists.

In the event that the Building Official or his representative identifies that construction on a building regulated by the appropriate technical codes adopted by the State of Utah Building Commission, this ordinance and other ordinances as adopted by the Sanpete County Commission is being occupied or work is being accomplished:

- 1) without a permit;
- 2) with an expired permit;
- 3) without a Certificate of Occupancy;
- 4) without a final inspection and closure of permit;
- 5) or other disregard for the codes.

The Building Official may cause a Certificate of Notice of Non-Compliance to be filed against the property where the violation is being committed.

Processing:

Prior to filing the Certificate of Notice of Non-Compliance with the County a permanent file will be developed. The file will contain copies of all attempts to contact the owner, any correction list, and attempts to obtain code compliance. A summary statement of the situation is to be developed and will include a statement of the nature of the problem. Additionally, the following items shall be accomplished, where applicable.

Stop Work: In the event no permit has been obtained or work is being accomplished with an expired permit a Stop Work Order shall be issued.

First Notice:

The property owner shall be notified, in writing of the condition(s), which have prompted the building official to start his action. The property owner will be given a maximum response time of thirty (30) days (based on the individual circumstance), and a minimum response time of ten(10) days unless the items are determined to be a matter

of public safety. The Building Official may grant an extension to the “First Notice” when it has been determined that extenuating circumstances are such that make it impractical to achieve completion by the original date.

Second Notice:

If compliance is not achieved at the end of the maximum response time outlined in the first notice (or extension when applicable), a second notice shall be mailed by certified mail and a response time of ten(10) days from the time of receipt of the notice will be established. The permit holder of record/current property owner shall be informed that a Certificate of Non-Compliance will be filed with the County Recorder for failure to properly complete /close the permit within the allotted time frame indicated if they do not respond. If the certified notice is returned marked as “Undeliverable”, the returned certified notice will be kept in a permanent file and serve as a successful attempt to serve notice and processing of the non-compliance certificate will continue.

Filing of Certificate of Notice of Non-Compliance:

If compliance is not achieved as outlined in this title, at the end of the maximum response time allowed in the second notice, the inspector would review the file with the Building Official. Based on this review a copy of the appropriate Certificate of Non-Compliance will be prepared for the signature of the Building Official. Upon the Building Official’s signature being notarized, the Notice will be filed with the County Recorder. A copy of the recorded notice will be place in the file, a copy mailed to the permit holder/current property owner and the file closed.

Fees and Filing of “Release of Notice of Non-Compliance”:

The Building Department shall collect a “Release of Notice of Non-Compliance Fee” based on one half of the original building permit fee if reactivated within one year of the expiration date of the original permit. After one year, the full building permit fee shall be charged. Once the building permit has been closed by the Building Official the process for removal of the non-compliance can be completed and documented for the removal of the lien and will be filed with the County Recorder. To remove the “Certificate of Non-Compliance” the applicant shall also pay a processing fee to the County Recorder.

I HAVE READ AND UNDERSTAND THE ABOVE PROCEDURES.

Name

Date