

SECTION 13

BUILDING PERMIT REQUIRED, CODE REQUIREMENTS, ENFORCEMENT, AND PENALTIES

BUILDING PERMIT REQUIRED: THE USE OF LAND OR THE CONSTRUCTION, OR ALTERATION OF ANY BUILDING OR STRUCTURE OR ANY PART THEREOF, AS PROVIDED OR AS RESTRICTED IN THIS ORDINANCE, SHALL NOT BE COMMENCED, OR PROCEEDED WITH, EXCEPT AFTER THE ISSUANCE OF A WRITTEN PERMIT ESTABLISHED BY THE TOWN. ALL PERMITS WILL BE RESPONDED TO IN AT LEAST 3 WEEKS.

A BUILDING PERMIT AND ZONING REVIEW IS REQUIRED FOR ANY NEW BUILDING OR TO STRUCTURALLY EXPAND OR ALTER AN EXISTING BUILDING, IN ACCORDANCE WITH ALL COUNTY AND TOWN BUILDING PERMIT REQUIREMENTS.

BEFORE BUILDING ON PROPERTY, IT IS REQUIRED THAT PERMIT APPLICANT HAS CLEAR TITLE OR PERMISSION OF TITLE HOLDER OF PROPERTY.

EVERY APPLICANT FOR A PERMIT FOR ANY CONSTRUCTION, ALTERATION OR USE OF ANY BUILDING OR LAND FOR WHICH A PERMIT IS REQUIRED BY THE LAW, SHALL, UPON REQUEST OF THE PLANNING COMMISSION FILE SUCH WRITTEN INFORMATION, PLANS, SPECIFICATIONS, OR OTHER SUCH DATA AS SHALL BE DEEMED NECESSARY FOR THE FULL AND ACCURATE EXPOSITON OF THE PROPOSED CONSTRUCTION, ALTERATION, OR USE WITH RELATION TO THE REGULATIONS OF THIS ORDINANCE. SUCH MATERIAL SHALL BE KEPT ON FILE IN THE TOWN OFFICE.

FROM THE TIME OF THE EFFECTIVE DATE OF THIS ORDINANCE, THE PLANNING COMMISSION OR TOWN COUNCIL SHALL NOT GRANT A PERMIT FOR THE CONSTRUCTION, OR ALTERATION OF ANY BUILDING OR STRUCTURE IF SUCH CONSTRUCTION OR ALTERATION WOULD BE IN VIOLATION OF ANY OF THE PROVISIONS OF THIS ORDINANCE.

WHENEVER SUCH PERMIT IS REFUSED BECAUSE OF THE VIOLATION OF SOME PROVISION OF THIS ORDINANCE, THE REASON FOR SUCH REFUSAL SHALL BE CLEARLY STATED IN WRITING.

EMERGENCY REPAIRS, CAUSED BY NATURAL DISASTERS DO NOT REQUIRE BUILDING PERMIT. BUT PERMANENT REPAIRS MUST CONFORM WITH COUNTY BUILDING REGULATIONS. IF A PERMIT IS NOT OBTAINED AND THE INFRINGEMENT IS NOT IN CONFORMANCE WITH COUNTY BUILDING REQUIREMENTS THE STRUCTURE WILL BE REMOVED AT OWNERS EXPENSE.

BUILDING PERMIT FOR FENCES: INDIVIDUALS ARE ADVISED TO MEET WITH THE PLANNING AND ZONING BEFORE CONSTRUCTING ANY FENCE TO ENSURE PROPER SETBACKS ARE MET AS WELL AS PERMIT REQUIREMENTS. ALL FENCES OVER 3' BUILT OF BLOCK, WOOD, VINYL, ETC. DO REQUIRE A BUILDING PERMIT. FENCES THAT MAY NOT REQUIRE A BUILDING PERMIT INCLUDE:

- A. SMALL FENCE SECTION FOR SCREENS OR DECORATIVE PURPOSES:
- B. DECORATIVE FENCES IN FRONT AND SIDE YARDS UNDER 3' HIGH:
- C. AGRICULTURAL STOCK FENCES BUILT FOR THE PURPOSE OF CONTAINING LIVESTOCK.

FEES: A FEE SHALL BE PAID TO ELSINORE TOWN FOR THE AMOUNT ESTABLISHED BY RESOLUTION BEFORE A BUILDING PERMIT WILL BE GRANTED. A SEPARATE FEE IS DETERMINED BY THE COUNTY BUILDING INSPECTOR AND PAID WHEN PERMIT AND PLANS ARE APPROVED.

CODE REQUIREMENTS: ALL CONSTRUCTION COMING UNDER THE PROVISIONS OF THIS ORDINANCE SHALL FOLLOW THE SPECIFICATIONS OUTLINED IN THE FOLLOWING PUBLICATIONS WHICH BY REFERENCE ARE A PART OF THIS ORDINANCE TO THE SAME EXTENT AS THOUGH COPIED HEREIN IN FULL:

- UTAH STATE PLUMBING CODE
- NATIONAL ELECTRIC CODE
- UNIFORM BUILDING CODE

ENFORCING OFFICIAL: AN OFFICIAL APPOINTED UNDER THE PROVISIONS OF THE BUILDING CODE OF SEVIER COUNTY BUILDING INSPECTOR, IS HEREBY DESIGNATED AND AUTHORIZED AS THE OFFICER CHARGED WITH THE ENFORCEMENT OF THIS ORDINANCE.

POWERS AND DUTIES FOR ENFORCING OFFICIAL: THE ENFORCEMENT OFFICIAL IS HEREBY AUTHORIZED TO INSPECT OR CAUSE TO BE INSPECTED ALL BUILDINGS AND STRUCTURES IN THE COURSE OF CONSTRUCTION, MODIFICATION, OR REPAIR AND TO INSPECT LAND USES TO DETERMINE COMPLIANCE WITH THE PROVISIONS OF THIS ORDINANCE.

PENALTY: MUNICIPALITIES WILL PUNISH VIOLATIONS OF MUNICIPAL ORDINANCES AS CLASS "B" MISDEMEANORS BY A FINE UP TO \$1000 AND IMPRISONMENT UP TO SIX MONTHS EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES SHALL CONSTITUTE A SEPARATE OFFENCE AND SHALL BE PUNISHABLE AS SUCH HEREUNDER. THE CODE SPECIFICALLY PERMITS MUNICIPALITIES TO IMPOSE MINIMUM PENALTIES.