MIDVALE CITY

ORDINANCE NO. 2018-O-14

AN ORDINANCE AMENDING CHAPTER 15.12 ADOPTION OF BUILDING AND OTHER RELATED CODES.

WHEREAS, Utah has recognized the importance of adopting and enforcing standardized construction codes for the health, safety, and preservation of its citizens and property as evidenced by Utah Code Ann. Title 15A ‘State Construction and Fire Codes Act;’ and

WHEREAS, Utah has delegated the responsibility of administering and enforcing the State’s construction codes to various agencies and political subdivisions including Midvale City under Utah Code Ann. § 15A-1-207; and

WHEREAS, the constructions codes leave decisions regarding penalties for certain code violations to the enforcing jurisdiction; and

WHEREAS, these code violations endanger the health, safety, and preservation of residents and property in the City; and

WHEREAS, the City desires to protect the health, safety, and preservation of residents and property in the City; and

WHEREAS, the City desires to provide enforcement mechanisms and penalties for certain code violations to ensure the health, safety, and preservation of residents and property in the City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Midvale City, Utah as follows:

SECTION I

The City Council desires to amend Midvale Municipal Code Chapter 15.12 ‘Adoption of Building and Other Related Codes’ as set forth in Exhibit A.

SECTION II

A violation of this ordinance includes the possibility of imprisonment. As such, Midvale City is required, under Utah Code Ann. § 77-32-301, to provide for indigent legal defense, as those terms are defined in Utah Code Ann. § 77-32-201.
SECTION III

This ordinance shall be effective upon date of first publication.

PASSED AND APPROVED this 18th day of September, 2018.

MIDVALE CITY

By: [Signature]
Mayor Robert M. Hale

VOTING:

Paul Glover  Yea √ Nay ___
Quinn Sperry  Yea √ Nay ___
Paul Hunt     Yea √  Nay ___
Bryant Brown Yea ___ Nay ___ [ABSENT]
Dustin Gettel Yea ___ Nay ___

ATTEST:

[Signature]
Roři L. Andreason, MMC
City Recorder

Published this ___ day of ___ 2018.
Chapter 15.12

BUILDING AND OTHER RELATED CODES*

Sections:
15.12.010 Codes adopted by reference.
15.12.030 Violation.

* Prior ordinance history: Ords. 12-3-85A, 5-3-83B and 1-17-84A, and prior code Sections 9-531, 9-540, 9-561, 9-651, 10-151 and 10-341.

15.12.010 Codes adopted by reference.
The City hereby adopts the Utah State Construction Code of the nationally recognized code authority, as adopted by Section 15A-2-101, Utah Code Annotated, or its successor; provided, that they shall not be retroactive except as provided for in the code:


The edition of the International Fire Code as adopted by Section 53-7-106, Utah Code Annotated, or its successor section is adopted by the City as the fire code ordinance, rules and regulations of the City. Appendices A, B, C, D, E, F, G of the International Fire Code are specifically adopted by the City as part of the fire code of the city. Hereafter, all references in this code to the fire code shall mean the edition adopted by Section 53-7-106, Utah Code Annotated, or its successor section, together with its appendices. One copy of the International Fire Code shall be filed for use and examination by the public in the office of the city recorder. (Ord. 2/6/2007O-2 § 1 (part), 2007)

15.12.030 Violation.
A. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of any provision of this chapter.

B. It shall be unlawful for any person, firm or corporation to fail to comply with a lawful order of the building official, building inspector or fire marshal.

C. Any person violating the provisions contained herein shall be guilty of a class B misdemeanor and shall be guilty of a separate offense for each and every day or portion thereof during which any violation occurs or continues.