

**Title 15**

**BUILDINGS AND  
CONSTRUCTION**

**Chapters:**

**15.08 Building Codes**

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## Chapter 15.08

### BUILDING CODES

#### Sections:

#### 15.08.010 Building codes adopted.

#### 15.08.020 Fees in general.

#### 15.08.030 Fees for sub-permits.

#### 15.08.040 Utility connections.

#### 15.08.010 Building codes adopted.

The most current edition of the International Building Code (“IBC”) promulgated by the International Code Council, and amendments adopted under the rules enacted by the State of Utah together with standards incorporated into the IBC by reference, including but not limited to the most current edition of the International Energy Conservation Code (IECC) promulgated by the International Code Council, the most current edition of the International Residential Code (IRC) promulgated by the International Code Council; the most current edition of the National Electrical Code (NEC) promulgated by the National Fire Protection Association; the most current edition of the International Plumbing Code (IPC) promulgated by the International Code Council and amendments adopted under rules enacted by the State of Utah; and the most current edition of the International Mechanical Code (IMC), together with all applicable standards set forth in the most current edition of the International Fuel Gas Code (IFGC) as revised, amended, and adopted by the State of Utah are hereby adopted by the city and incorporated herein by reference. As used herein, the “*most current edition*” of any code, amendment or rule referenced herein means the most current edition of such code, etc., as adopted from time to time by its promulgating council/body and the State of Utah.

#### 15.08.020 Fees in general.

The 1997 Uniform Administrative Code as published by the International Conference of Building Officials (with valuation updates published annually in the Building Standards magazine) is hereby adopted and incorporated herein by reference. In addition, section 1.07.3 of the 1997 Uniform Building Code with respect to fees is hereby adopted and incorporated herein by reference. Section 1.07.3 of the 1997 Uniform Building Code, as adopted herein, is hereby amended to read as follows:

When submittal documents are required by section 106.3.2 of the 1997 Uniform Building Code, a plan review fee shall be paid at the time of submitting the submittal documents for review. Said plan review fee shall be as specified in the consolidated fee schedule.

#### EXCEPTIONS:

1. Plans which have been previously reviewed and placed in the city’s plan card file in contemplation of future permit issuance shall be charged a plan review fee established by the building official. Such plans may be used for issuing new permits until a new edition of the building code is adopted by the state of Utah. In such case, the plans shall be resubmitted for review by the city. The cost for such review shall be as required for “additional plan review,” with a minimum of two hours. Any such plans which are not used for a period of 18 months shall be resubmitted for a full plan review, with all required fees, if they are to be used again. Card file plans shall comply with administrative procedures established by the building official.

The plan review fees specified in this subsection are separate fees from the permit fees specified in section 107.2 of the 1997 Uniform Building Code and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in section 106.3.4.2 of the Uniform Building Code, an additional

plan review fee shall be charged at the rate shown

Charges for other services to be provided by the building department shall be based upon the hourly rates indicated in the building code and assessed according to the following:

A. Renewal of expired permits where only final inspections are required, four hours;

B. Reinspection, one hour;

C. Inspection requested outside of normal working hours, minimum two hours;

D. Review of new products or materials for acceptance, minimum four hours;

E. Request for verification of conformance to code for existing buildings, minimum one hour.

The building official may determine charges for other services provided for which fees are not indicated.

#### **15.08.030 Fees for sub-permits.**

Plumbing, electrical, and mechanical fees shall not be assessed when such permits are issued in conjunction with a building permit for when required fees have been paid. If two or more sub-permits are received, a building permit must be taken out. If only one sub-permit is required, and no other work is to be done, fees shall be assessed in accordance with the city's then-current consolidated fee schedule.

#### **15.08.040 Utility connections.**

It shall be unlawful for any utility company to provide service to any structure or building, or to service equipment or wiring for which a permit is required, until approval is granted by the building official. The building official may order utility services terminated at any location where the use is not authorized or is in violation of the building, zoning, or other ordinances of the city.

#### **15.08.050 Transition.**

All building permits issued by Salt Lake County prior to the city's incorporation date shall be governed by the applicable codes as of the date the building permit was issued.

## Chapter 15.24

### MOBILE HOME PARKS

#### Sections:

- 15.24.010 Definitions.
- 15.24.020 License and permit—Required.
- 15.24.030 License and permit—Fees.
- 15.24.040 Permit—Application—Contents.
- 15.24.050 Independent mobile homes—Required.
- 15.24.060 Park—Minimum area.
- 15.24.070 Location and fencing.
- 15.24.080 Soils, drainage and ground cover.
- 15.24.090 Street system requirements.
- 15.24.100 Dedication of streets.
- 15.24.110 Access streets.
- 15.24.120 Park plan—Construction requirements.
- 15.24.130 Water supply.
- 15.24.140 Sewage and refuse disposal.
- 15.24.150 Service buildings—Sanitation facilities.
- 15.24.160 Sanitation facilities required.
- 15.24.170 Refuse storage and disposal.
- 15.24.180 Fire protection.
- 15.24.190 Park management responsibilities.
- 15.24.200 Occupant responsibilities.
- 15.24.210 Enforcement—Inspection for compliance.
- 15.24.220 Notice, hearing and order procedures.
- 15.24.230 Violation—License revocation.
- 15.24.240 Appeals procedure.
- 15.24.250 Violation—Penalty.

#### 15.24.010 Definitions.

A. “*Building official*” means the director of the city’s community development department or any representative authorized to act for him.

B. “*Conditional use*” means a use of land for which a conditional use permit is required pursuant to title 19 of this code.

C. “*Dependent mobile home*” means a mobile home which does not have a toilet and a bathtub or shower.

D. “*Director of health*” means the legally designated director of the health department, or any representative authorized by such official to act in his behalf.

E. “*Independent mobile home*” means a mobile home that has a toilet and a bathtub or shower.

F. “*License*” means a written license issued by the license official allowing a person to operate and maintain a mobile home park under the provisions and regulations of this chapter.

G. “*Licensee*” means any person licensed to operate or maintain a mobile home park, as set forth in this chapter.

H. “*Mobile home*” or “*manufactured home*” means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use as a dwelling with or without a permanent foundation when connected to the required utilities.

I. “*Mobile home park*” means any plot of ground upon which two or more mobile homes are located, regardless of whether or not a charge is made for such accommodation.

J. “*Mobile home space*” means a plot of ground within a mobile home park which is designed for the accommodation of one mobile home.

K. “*Mobile home stand*” means that part of a mobile home space which has been reserved for the placement of one mobile home with appurtenant structures or additions.

L. “*Permit*” means a conditional use permit issued by the planning commission, permitting the construction, alteration and/or extension of a mobile home park under the provisions of this chapter and regulations issued hereunder. Such permit, to be effective, must also be approved by the building official.

M. “*Person*” means any individual, firm, trust, partnership, public or private

association, or corporation.

N. “*Service building*” means a building housing separate toilet and bathing facilities for men and women and which may also have laundry facilities and a slop-water closet, and such other facilities as may be required by this chapter and which are apart from the facilities within the individual mobile home.

O. “*Sewer connection*” means all pipes, fittings and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewerage system serving the mobile home park.

P. “*Sewer riser pipe*” means that portion of the sewer lateral which extends vertically to the ground elevation and terminates at each mobile home space.

Q. “*Water connection*” means all pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.

R. “*Water riser pipe*” means that portion of the water supply system serving the mobile home park which extends vertically to the ground elevation and terminates at a designated point at each mobile home space or stand.

#### **15.24.020 License and permit—Required.**

It is unlawful for any person to construct, maintain or operate a mobile home park within the city unless such person first obtains a license and permit therefor.

#### **15.24.030 License and permit—Fees.**

The license and permit fee for each mobile home are provided for in this title. In addition to the above fees, if any buildings or structures are built, a permit fee under the city’s building code must be paid as well as the fee for mechanical installations, electrical and plumbing work, in accordance with the current ordinances in effect at the time.

#### **15.24.040 Permit—Application—Contents.**

A. Upon receipt of an application for a conditional use permit to establish or enlarge a mobile home park, the planning commission and the other agencies concerned therewith shall make the necessary investigation and review of the application, the plot plans, the site and the proposed facilities, to determine whether the establishment or the enlargement of the park will meet the requirements of this chapter.

B. Before a conditional use permit for a mobile home park can be issued, the applicant must follow the requirements of title 19 of this code.

#### **15.24.050 Independent mobile homes—Required.**

All mobile homes placed in the park must be independent mobile homes. No dependent mobile homes are to be placed in a mobile home park within the city.

#### **15.24.060 Park—Minimum area.**

The minimum permissible area for the construction of any mobile home park shall be five acres.

#### **15.24.070 Location and fencing.**

A. Location of mobile home parks shall be regulated by the zoning ordinance of the city. Where any boundary of a park directly abuts property which is improved with a permanent residential building, or directly abuts unimproved property which may, under existing laws and regulations, be used for permanent residential construction, or abuts any street, a six-foot-high wall properly related to surrounding topography and the character of the surrounding development shall be provided along such boundary; except, that at the point where a public street intersects with an access road, the height of the fence or wall shall be determined by title 19 of this code.

B. Where any mobile home park boundary is adjacent to a public street, the fence or wall shall be set back from the street right-of-way a minimum of 15 feet. This ground between the fence or wall and the street right-of-way line shall be landscaped and permanently maintained.

**15.24.080 Soils, drainage and ground cover.**

A. Soil, Topography and Hazards. The condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.

B. Soil and Ground Cover. Exposed ground surfaces in all parts of every mobile home park shall be paved or covered with stone screenings or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

C. Site Drainage. The ground surface in all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe, efficient manner, subject to approval of the community development director.

**15.24.090 Street system requirements.**

A. General Requirements. All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. Alignment and gradient shall be properly adapted to topography, subject to the approval of the community development department.

B. Access. Access to mobile home parks shall be designed to minimize congestion and hazards at the entrance or exits, and allow free movement of traffic on adjacent streets.

C. Internal Streets. Surfaced roadways shall be of adequate width to accommodate anticipated traffic.

D. Street Construction and Design Standards. All streets shall be provided with a smooth, hard and dense surface which shall be durable and well-drained under normal use and weather conditions. Pavement edges shall be protected to prevent raveling of the wearing surface and shifting of the pavement base. Street surfaces shall be maintained free of cracks, holes and other hazards.

E. Grades. Grades of all streets shall be sufficient to insure adequate surface drainage.

**15.24.100 Dedication of streets.**

The developer of the mobile home park shall be required to dedicate to the city, and shall improve to city standards, all streets within the proposed park determined by the planning commission to be necessary for adequate neighborhood circulation.

**15.24.110 Access streets.**

The location and width of the access street shall be determined by the planning commission.

**15.24.120 Park plan—Construction requirements.**

Mobile home parks shall conform to the plan, as submitted and approved by the respective governmental agencies, and to the following requirements:

A. The park shall be located on a well-drained site, properly graded to insure rapid drainage, and free from stagnant pools of water.

B. Each park shall provide mobile home spaces, clearly defined or delineated, which shall have a minimum average area of 3,000 square feet, exclusive of streets and sidewalks, and a width of not less than 40 feet.

C. Mobile homes shall be so located on each space as to permit a 15-foot clearance between the mobile homes.

1. Carport covers and patio covers may extend to within three feet of the side lot lines of the individual homes spaces.

2. No mobile home shall be located closer than 15 feet to any building within the park or to any property line of the park which does not abut upon a public street or highway.

3. No mobile home shall be located closer to any property line of the park abutting upon public street or highway than 25 feet, or such other distance as may be established by ordinance or regulation as a front yard setback requirement with respect to conventional buildings in the zoning district in which the mobile home park is located.

D. The street system shall provide convenient circulation by means of streets properly located with respect to the access streets. Closed ends of dead-end streets shall be provided with adequate paved vehicular turning or back space. A turning circle shall be at least 80 feet in diameter.

E. Walkways shall be provided on both sides of all access roads, and shall be constructed of concrete not less than four feet wide.

F. All streets and walkways shall be hard-surfaced and adequately lighted, subject to approval of the planning commission.

G. Each park shall provide service buildings to house such toilet, bathing and other sanitation facilities as are required by this chapter.

H. Electrical service shall comply with the provisions of the current adopted county electrical code.

I. The operator of the mobile home park is charged with the responsibility of making all connections from the mobile home to sewer, water, gas, electric or any other utility services governed by these regulations, and he shall do so in full conformity with the building code, the plumbing code, the electrical code and health codes. The operator shall, upon request, deliver to any inspector, health officer or other official such pertinent information

required to provide compliance with the ordinances at any reasonable time.

J. Two parking spaces shall be provided on each mobile home space, not in tandem. The mobile home park shall provide an automobile parking area for the use of guests. One such space shall be provided for every five lots or fraction of five lots within the park. Each space shall be nine feet by 18 feet in size, and shall contain such additional area as is necessary to afford adequate ingress and egress.

K. Mobile home stands shall be no smaller than ten by 50 feet in size.

L. Not less than five percent of the gross site shall be devoted to recreational facilities. Individual recreation areas shall not be less than 2,500 square feet in size.

M. The occupied area of each mobile home space shall not exceed seventy-five percent of the total area of the lot. Area shall be deemed occupied when covered or occupied by a trailer coach, cabana, vehicle, awning, closet, cupboard or other structure of any kind. Unoccupied area shall be adequately landscaped and maintained.

N. All utilities in the park shall be placed underground.

O. Each mobile home space shall provide the tenant storage area convenient to its entrance, which shall contain 120 cubic feet of area.

P. Each mobile home shall be provided with a patio area containing a minimum of 100 square feet of space; such patio shall be constructed in accordance with the city's building code.

Q. Bulk storage area equivalent to 80 square feet per mobile home space shall be provided, and the area so designated shall be asphalted and fenced in such a manner as to screen the compound from surrounding mobile home spaces.

R. All mobile homes within the park shall be skirted, and each home shall be firmly anchored to prevent sway and/or give or play,

and shall be adequately supported.

S. Each mobile home, attached structures (such as patio or steps) and detached structures (such as sheds) shall be placed 7.5 feet back from the sidewalk or roadway if there is no sidewalk.

#### **15.24.130 Water supply.**

A. An adequate supply of hot water for bathing, washing and cleaning facilities shall be provided in the service buildings at all times. An adequate supply of such water shall be considered to be at least 20 pounds of water pressure per square inch on a one-half-inch line.

B. An accessible, adequate, safe, potable supply of water shall be provided in each mobile home park. Where a public supply of water of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water-supply system may be developed and used, as approved by the director of health.

#### **15.24.140 Sewage and refuse disposal.**

A. An adequate and safe sewage system shall be provided in all mobile home parks for conveying and disposing of all sewage. Such system shall be designed, constructed and maintained in accordance with state and local laws.

B. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements, and shall be separated from the park water-supply system at a safe distance. Sewers shall be at a grade which will ensure a velocity of two feet per second when flowing full. All sewer lines shall be constructed of materials approved by the director of health, shall be adequately vented, and shall have water-tight joints.

C. Waste from showers, bathtubs, flush toilets, urinals, lavatories and slop sinks in service and other buildings shall be discharged

into a public sewer system.

D. Each mobile home space shall be equipped with a sewer connection having a minimum size of three inches, protected by a concrete collar at least three inches deep and extending 12 inches from the connection in all directions. The sewer connection shall be provided with suitable fittings to permit a watertight junction to be made with the mobile home outlet. All sewer lines shall conform to the plumbing code.

E. Manholes shall be provided at every change in direction, at every major junction of two or more branch sewers, and at intervals of not more than 400 feet. Cleanouts extending to grade may be used instead of manholes on four-inch and six-inch lines, and shall be provided wherever a manhole would otherwise be necessary and at intervals of not more than 100 feet. All cleanouts shall be capped with cleanout plugs.

#### **15.24.150 Service buildings—Sanitation facilities.**

Service buildings housing sanitation facilities shall be permanent structures complying with all applicable ordinances and statutes regulating building, electrical installations and plumbing and sanitation systems. The buildings shall be well-lighted at all times, ventilated with screened openings, constructed of such moisture-proof material which may be painted woodwork, as shall permit repeated cleaning and washing, and shall be maintained at a temperature of at least 68 degrees Fahrenheit during the period of October 1st to May 1st. Floors of service buildings shall be constructed of materials impervious to water. All service buildings and grounds of the park shall be maintained in a clean, sightly condition, and kept free from any condition menacing to the health of occupants or the public, or constituting a nuisance.

**15.24.160 Sanitation facilities required.**

A. The licensee, owner or lessee shall be required to install toilets, showers and lavatories for both sexes, in sufficient number with each building, service center, recreation area or amusement facility to adequately care for the needs and requirements of those people whom it is contemplated will make use of the facility.

B. Toilets shall be for the exclusive use of the occupants of the mobile home park.

C. Toilets and other sanitation facilities for males and females shall be in separate buildings or separated, if in the same building, by a sound-proof wall.

**15.24.170 Refuse storage and disposal.**

A. The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.

B. All refuse shall be stored in fly tight, watertight, rodent proof containers, which shall be located not more than one hundred 50 feet from any mobile home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse.

C. Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them.

D. All refuse containing garbage shall be collected at least twice weekly. Where suitable collection service is not available by private agencies, the mobile home park operator shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers.

**15.24.180 Fire protection.**

A. The mobile home area shall be subject to the rules and regulations of the fire department.

B. Mobile home parks shall be kept free of litter and rubbish.

C. Portable fire extinguishers of a type approved by the fire chief or his authorized representative shall be kept in service buildings and at all other locations designated by the fire chief, and shall be maintained in good operating condition.

D. Fires shall be made only in stoves and other equipment intended for such purposes.

E. Fire hydrants shall be installed in accordance with the plans and in accordance with the requirements of the fire department under city ordinances.

**15.24.190 Park management responsibilities.**

Park management shall have the responsibilities set forth as follows:

A. The person to whom a license for a mobile home park is issued shall operate the park in compliance with the ordinances and regulations issued under this chapter, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

B. The park management shall notify park occupants of all applicable provisions of this chapter, and inform them of their duties and responsibilities under this chapter and regulations issued hereunder.

C. The park management shall supervise the placement of each mobile home on its mobile home space, which includes securing its stability and installing any utility connections.

D. The park management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park.

E. The park management shall notify the director of health immediately of any suspected communicable or contagious disease within the park.

**15.24.200 Occupant responsibilities.**

A. The park occupant shall comply with all applicable requirements of this chapter and regulations issued hereunder, and shall maintain his mobile home lot, its facilities and equipment in good repair and in a clean and sanitary condition.

B. The park occupant shall be responsible for proper placement of his mobile home on its mobile home space and proper installation of all utility connections in accordance with the instructions of the park management.

C. No owner or person in charge of a dog, cat, or other pet animal shall permit it to run at large or to commit any nuisance within the limits of any mobile home lot.

**15.24.210 Enforcement—Inspection for compliance.**

A. The community development director or his representatives, is authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this chapter and the regulations issued hereunder.

B. The community development director or his representatives, shall have the power and authority to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter.

C. It shall be the duty of the owners or occupants of the mobile home park, and mobile homes contained therein, or of the person in charge thereof, to give the community development director free access to such premises at reasonable times for the purpose of inspection.

D. It shall be the duty of every occupant of a mobile home park to give the owner thereof, or his agent or employee, access to any part of the mobile home park or its premises, at reasonable times, for the purpose of making such repairs or alterations as are necessary to effect compliance with this chapter and regulations issued hereunder or

with any lawful order issued pursuant to the provisions of this chapter.

**15.24.220 Notice, hearing and order procedures.**

A. Whenever the community development director determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or regulations issued hereunder, he shall give notice of such alleged violation to the person to whom the permit or license was issued, as hereinafter provided. Such notice shall:

1. Be in writing;
2. Include a statement of the reasons for its issuance;
3. Allow a reasonable time for the performance of any act it required;
4. Be served upon the owner or his agent, as the case may required; provided, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by registered mail to his last known address, or when he has been served with such notice by any method authorized or required by the laws of this state; and
5. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter and regulations issued hereunder.

B. If, at the end of the period set forth in the notice, the community development director shall reinspect such mobile home park and, if such conditions or practices have not been corrected, he shall suspend the license and give notice in writing of such suspension to the person to whom the license is issued. Upon receipt of notice of such suspension, such person shall cease operation of such mobile home park except as provided in this chapter.

C. Any person whose license has been suspended or is otherwise affected by the notice which has been issued in connection

with the enforcement of any provision of this chapter or any regulation issued hereunder, may request and shall be granted a hearing on the matter before the city council or its designee, by filing a written petition requesting a hearing and setting forth a brief statement of the grounds therefor within ten days after the date the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension, except in the case of an order issued under subsection (F) of this section. Upon receipt of such petition, the community development director shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than ten days after the day on which the petition was filed; provided that upon application of the petitioner, the community development director may postpone the date of the hearing for a reasonable time beyond the ten day period when, in his judgment, the petitioner has submitted good and sufficient reasons for such postponement.

D. After such hearing, the city council or its designee shall make findings as to compliance with the provisions of this chapter and regulations issued hereunder, and shall issue an order in writing sustaining, modifying or withdrawing the notice which shall be served as provided in subsection A of this section. Upon failure to comply with any other sustaining or modifying notice, the license of the mobile home park affected by the order shall be revoked.

E. The proceedings at such a hearing, including the findings and decision of the city council or its designee, together with a copy of every notice and order related thereto, shall be entered as a matter of public record in the office of the city recorder, but the transcript of the proceedings need not be transcribed unless

judicial review of the decision is sought as provided by this section. Any person aggrieved by the decision of the city council or its designee may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this state.

F. Whenever the community development director finds that an emergency exists which requires immediate action to protect the public health, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as he may permit or license. Notwithstanding any other provisions of this chapter, such an order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the city council or its designee shall be afforded a hearing as soon as possible. The provisions of subsections (C) and (D) of this section shall be applicable to such hearing and the order issued thereafter.

#### **15.24.230 Violation—License revocation.**

The community development director, or any other officer charged with the enforcement of this title, may revoke any license to maintain and operate a mobile home park when the licensee is found to have violated any provision of this code. After such violation, the license may, in the discretion of the revoking official, be reissued if the violation has been remedied and the park is in condition to be maintained and operated in full compliance with the law.

#### **15.24.240 Appeals procedure.**

A. If for any reason application for a license has been denied, or a permit granted under this chapter has been revoked, the person to whom the revocation or license has been effectively withdrawn may, upon application, be granted a hearing before the city council or its designee as provided in this chapter.

B. Any person whose license has been suspended or revoked, or who has received notice from the community development director that his license will be suspended unless certain conditions or practices at the mobile home park are corrected, may request and shall be granted a hearing on the matter before the proper official under the procedure provided by section 15.24.220 of this chapter; provided that when no petition for such hearing shall have been filed within ten days following the day on which notice of suspension was served, such license shall be deemed to have been automatically revoked at the expiration of such ten-day period.

**15.24.250 Violation—Penalty.**

In the event that any occupant or person in the management of a mobile home park, as defined in this chapter, shall fail to do those things required of such person, the person shall violate the provisions of this chapter or the prohibitions as set forth, such person shall be guilty of a misdemeanor.

## Chapter 15.28

### HIGHWAY DEDICATION

#### Sections:

**15.28.010 Dedication and improvement required.**

**15.28.020 Exceptions.**

**15.28.030 Dedication procedure.**

**15.28.040 Building permit issuance.**

**15.28.050 Lots affected by dedication.**

**15.28.060 Improvement standards and procedures.**

**15.28.070 Appeal.**

**15.28.080 Amendments to highway plan.**

**15.28.010 Dedication and improvement required.**

Except as otherwise provided in section 15.28.020, no building or structure shall be erected, reconstructed, structurally altered or enlarged, and no building permit shall be issued therefor, on any lot or parcel of land which abuts a major or secondary highway within the city, as shown on the official major and secondary highway plan from time to time adopted or amended by the city (or similar element of the city's general plan) (the "Street Plan") on file with the community development director and made part of this chapter by reference, or other public street which does not conform to current city width standards, unless the portion of such lot or parcel within the right-of-way of the highway to be widened or requiring additional street width has been dedicated to the city and improved. The dedication and improvements shall meet the standards for such highway or street as provided in section 15.28.060.

**15.28.020 Exceptions.**

A. The maximum area required to be dedicated shall not exceed 25% of any lot or parcel which was of record in the county recorder's office on the effective date of the ordinance codified in this chapter. In

determining the amount of area required for dedication for purposes of this exception, any highway area which previously has been dedicated to the public through public use shall not be included.

B. Such required dedication shall not reduce the lot or parcel to less than 5,000 square feet.

C. Dedication shall not be required on those portions of a lot occupied by a main building existing on the effective date of the ordinance codified in this chapter.

D. Additional improvements shall not be required on a lot where paved surface, curb, gutter and sidewalk improvements in good condition exist within the present right-of-way, unless use is changed from agricultural or single-family dwelling to a commercial, industrial, office or two-family dwelling or more.

E. Dedication shall not be required for remodelings, additions and accessory buildings incidental to a single-family dwelling, used as a residence, existing on the lot as of the effective date of the ordinance codified in this chapter, provided that no additional dwelling units are created.

F. Dedication shall not be required for additions or accessory buildings clearly incidental to a main building existing on the lot as of the effective date of the ordinance codified in this chapter, provided that the cumulative floor area of all such additions and accessory buildings does not exceed 200 square feet or 20% of existing square footage, whichever is greater.

**15.28.030 Dedication procedure.**

A. Any person or other entity required to dedicate land under the provisions of this chapter shall execute an offer to dedicate and a warranty deed or other deed form acceptable to the city properly executed by all parties of interest in such terms as to be binding on the owner, his/her heirs, assigns or successor in interest. The offer to dedicate, deed, and a title

report shall be filed with the community development director. No title report need be furnished in cases where the community development director determines the property in question is within a street being maintained by the city as dedicated to the public by use.

B. The community development director shall review the offer to dedicate and deed for completeness and compliance with city requirements which shall thereafter be promptly processed and submitted to the manager for final acceptance. The dedication shall be complete when the deed is recorded in the office of the county recorder after its acceptance by the city.

C. For purposes of this chapter, dedication shall be considered as satisfactorily assured when the offer to dedicate and deed have been approved by the community development director.

#### **15.28.040 Building permit issuance.**

When all dedication and improvements required by this chapter have been completed or assured as provided in this chapter, a building permit may be issued.

#### **15.28.050 Lots affected by dedication.**

On a lot affected by the dedication required under the provisions of this chapter, all required yards, setbacks, parking area, loading space and building locations for new buildings or structures or additions to buildings or structures shall be measured and calculated from the new lot lines created by the dedication. However, in applying all other provisions of the zoning ordinances of the city, such lot shall be considered in an area as that which existed immediately prior to dedication.

#### **15.28.060 Improvement standards and procedures.**

A. Major and secondary highways within the city shall be dedicated to the width indicated on the Street Plan with a cross-

section as shown in the city highway standards, except as provided elsewhere by appropriate authority.

B. "Improvements" means those improvements required under the city subdivision ordinance which shall be installed in accordance with the standards required under the subdivision ordinance.

C. The community development director must approve variations from the standards described in this section, as necessary, considering the conditions of terrain and existing improvements contiguous thereto.

D. Improvements required under the provisions of this chapter shall be assured when they are completed to the satisfaction of the community development director as required in this chapter or a bond has been filed guaranteeing their completion within one year.

E. If the manager determines that the required improvements should be completed in a specified sequence and/or in less than a one-year period in order to protect the health, safety and welfare of the city or its residents from traffic, flood, drainage or other hazards, the city may require in approving the bond that the improvements be installed in a specified sequence and period which may be less than one year and shall incorporate such requirements in the bond.

#### **15.28.070 Appeal.**

Any person may appeal to the city council or its designee any determination in connection with the administration, enforcement and other provisions of this chapter. The appeal must be submitted in triplicate and must also provide sufficient information to provide for a proper determination.

#### **15.28.080 Amendments to highway plan.**

Amendments to the Street Plan may be made by the city after receiving recommendations from the community

development director.

## Chapter 15.32

### FIT PREMISES

#### Sections:

- 15.32.010 Purpose**
- 15.32.020 Exclusions from application of chapter**
- 15.32.030 Identification of owner and agents**
- 15.32.040 Duties of property owner at time of possession delivery**
- 15.32.050 Property owner to maintain the premises and each dwelling unit**
- 15.32.060 Tenant to maintain dwelling unit**
- 15.32.070 Rules and regulations**
- 15.32.080 Access**
- 15.32.090 Owner and tenant remedies for abuse of access**
- 15.32.100 Repair of specified failures**
- 15.32.110 Tenant repair and deduct**
- 15.32.120 Retaliatory conduct prohibited**
- 15.32.130 Applicability of other ordinances**

#### **15.32.010 Purpose.**

The purpose of this chapter is to provide for the health, safety, comfort, convenience and aesthetics of the city and its inhabitants, and to protect the tax base and property values within the city, by regulating the maintenance, repair and remodeling of residential buildings specified in this chapter.

#### **15.32.020 Exclusions from application of chapter.**

The following are not governed by this chapter.

A. Residence at a detention, medical, geriatric, educational, counseling or religious institution;

B. Occupancy under a contract of sale of a dwelling unit if the occupant is the purchaser;

C. Occupancy by a member of a fraternal or social organization in a building operated for the benefit of the organization;

D. Transient occupancy in a hotel, or motel (or lodgings subject to UTAH CODE ANN. § 59-12-301); except that single-room occupancy units ("SRO") shall be governed by this chapter. "SRO" means an existing housing unit with one combined sleeping and living room of at least seventy square feet, but of not more than two hundred twenty square feet, where the usual tenancy or occupancy of the same unit by the same person or persons is for a period of longer than one week. Such units may include a kitchen and private bath.

E. Occupancy by an owner of a condominium unit.

#### **15.32.030 Identification of owner and agents.**

A. A property owner, or any person authorized to enter into a rental agreement on the owner's behalf, shall disclose to the tenant in writing at or before the commencement of the tenancy the name, address and telephone number of:

1. The owner and person authorized to manage the premises; and

2. A local person authorized to act for and on behalf of the owner for the purpose of receiving notices and demands, and performing the owner's obligations under this chapter and the rental agreement if the owner or manager resides outside the city.

B. A person who enters into a rental agreement and fails to comply with the requirements of this section becomes an agent of the owner for the purposes of:

1. Receipt of notices under this chapter; and

2. Performing the obligations of the owner under this chapter and under the rental agreement.

C. The information required to be furnished by this section shall be kept current. This section is enforceable against any successor owner or manager.

D. Every rental property with more than one unit rented without a written agreement

shall have a notice posted in a conspicuous place with the name, address and telephone number of the owner or manager and local agent as required by subsection A above.

**15.32.040 Duties of property owner at time of possession delivery.**

A. At the commencement of any rental of a unit the landlord shall provide to the tenant:

1. A written summary of this chapter and an inventory of the condition of the premises and all appliances and furnishings. A copy of the lease or rental agreement and rules and regulations, if written, shall be provided to the tenant at the time the rental agreement is entered into.

2. Any current notice by any utility provider to the landlord to terminate water, gas, electrical or other utility service to the dwelling unit, the proposed date of termination, and any current uncorrected deficiency list or notice from any government entity,

B. By explicit written agreement, a property owner and a tenant may establish a procedure whereby the tenant notifies the property owner of needed repairs, makes those repairs and deducts the cost of the repairs from the rent due and owing.

C. A property owner may allocate any duties to the tenant by explicit written agreement. Such agreement must be clear and specific, boxed, in bold type or underlined.

D. If the property owner fails to deliver possession of the dwelling unit to the tenant as promised in the rental agreement, rent abates until possession is delivered and the tenant may terminate the rental agreement by written notice to the property owner and recover all prepaid rent and security deposits, as well as the greater of \$100 or actual damages, and reasonable attorney's fees.

**15.32.050 Property owner to maintain the premises and each dwelling unit.**

A property owner shall:

A. Comply with the requirements of applicable building, housing and health codes and county ordinances, and not rent the premises unless they are safe, sanitary and fit for human occupancy;

B. Maintain the structural integrity of the building;

C. Maintain floors in compliance with safe load-bearing requirements;

D. Provide exits, emergency egress, and light and ventilation in compliance with applicable codes;

E. Maintain stairways, porches, walkways and fire escapes in sound condition;

F. Provide smoke detectors and fire extinguishers as required by code;

G. Provide operable sinks, toilets, tubs and/or showers;

H. Provide heating facilities as required by code;

I. Provide kitchen facilities as required;

J. Provide running water;

K. Provide adequate hall and stairway lighting;

L. Maintain floors, walls and ceilings in good condition;

M. Supply window screens where required by code;

N. Maintain foundation, masonry, chimneys, water heater and furnace in good working condition;

O. Prevent the accumulation of stagnant water;

P. Maintain in good and safe working order and condition all electrical, plumbing, sanitary, heating, ventilating, air conditioning, and other facilities and appliances supplied by the landlord as required by applicable codes;

Q. Provide and maintain appropriate garbage receptacles and arrange for timely garbage removal as required by code;

R. Supply electricity, hot water and heat at all times, except where the dwelling unit is so constructed that electricity, heat or hot water is within the exclusive control of the

tenant and supplied by a direct public utility connection;

S. Assure that the premises are free of insects and rodents;

T. Not interrupt or disconnect utility service;

U. Provide adequate locks to exterior doors and furnish keys to tenants as required by applicable codes;

V. Maintain the dwelling unit in a reasonably insulated and weather tight condition as required by the building and housing and Utah State Energy Conservation codes; and

W. Not interfere with each tenant's peaceful enjoyment of the premises;

X. Insure that repairs, decorations, alterations, or improvements, or exhibiting the dwelling unit shall not unreasonably interfere with the tenants' right to quiet enjoyment of the premises.

Y. Provide a mailbox; and

Z. Provide accessible meters for each tenant for gas and electricity, or include charges for utility services in the rent.

#### **15.32.060 Tenant to maintain dwelling unit.**

A tenant shall:

A. Comply with all appropriate requirements of the rental agreement and applicable provisions of building, housing and health codes;

B. Maintain the premises occupied in a clean and safe condition and not unreasonably burden any common area;

C. Dispose of all garbage in a clean and safe manner;

D. Maintain all plumbing fixtures in as sanitary a condition as the fixtures permit;

E. Use all electrical, plumbing, sanitary, heating, and other facilities and appliances in a reasonable manner;

F. Not destroy, deface, damage, impair or remove any part of the premises or knowingly permit any person to do so;

G. Promptly inform the property owner of any defective conditions or problems at the premises;

H. Not interfere with the peaceful enjoyment of the residential rental unit of another renter;

I. Upon vacation, restore the premises to their initial condition except for reasonable wear and tear or conditions caused by the property owner;

J. Be current on all payments required by the rental agreement;

K. Not increase the number of occupants above that specified in the rental agreement without written permission of the owners; and

L. Not modify or paint the premises without the express permission of the property owner/agent.

M. Dispose of oil, car batteries, and other hazardous waste materials away from the rental premises, and in a manner prescribed by federal and local laws; and

N. Not require the owner to correct or remedy any condition caused by the renter, the renter's family or the renter's guests or invitees by inappropriate use of the property during the rental term or any extension of it.

#### **15.32.070 Rules and regulations.**

A property owner may adopt rules or regulations concerning the tenant's use and occupancy of the premises which become a part of the rental agreement if they apply to all tenants in the premises in a nondiscriminatory manner, do not conflict with the lease, state law or city ordinance, and are provided to the tenant before the tenant enters into the rental agreement. Rules, regulations or lease terms can, by agreement between the parties, be more favorable to the tenant than allowed by state law or city ordinance but cannot be more restrictive. Rules may be modified from time to time by the property owner. However, no rule adopted after the commencement of any rental agreement shall substantially modify the

existing terms, conditions or rules without written consent of the tenant.

**15.32.080 Access.**

A. A tenant shall not unreasonably withhold consent to the property owner to enter into the dwelling unit in order to make necessary or agreed repairs, decorations, alterations, or improvements; or exhibit the dwelling unit to prospective purchasers, tenants or work people.

B. A property owner may enter the dwelling unit without consent of the tenant in case of emergency.

C. Except in case of emergency the property owner shall give the tenant at least 24 hours notice of plans to enter and may enter only between 8:00 a.m. and 8:00 p.m.

D. A property owner has no other right of access except:

1. Pursuant to court order;
2. As permitted by Sections 15.32.070 and 15.32.080; or
3. Unless the tenant has abandoned the premises as defined in UTAH CODE ANN. § 78-36-12(3) or any successor provision.

**15.32.090 Owner and tenant remedies for abuse of access.**

A. If the tenant refuses to allow lawful access, the property owner may obtain injunctive relief to compel access, or terminate the rental agreement and commence an eviction action. In either case, the property owner may recover actual damages and reasonable attorney's fees.

B. If the property owner makes an unlawful entry or makes repeated demands for entry which harass the tenant, the tenant may obtain injunctive relief to prevent the recurrence of the conduct or terminate the rental agreement and vacate the premises. In either case, the tenant may recover actual damages or damages equal to one month's rent and reasonable attorney's fees.

**15.32.100 Repair of specified failures.**

In the event of the failures specified below the property owner shall begin repairing the failures within the following specified time periods after receipt of written notice of the failure delivered to the person identified in Section 15.32.030, and complete the repairs with reasonable diligence:

- |   |          |
|---|----------|
| A. Inoperable toilet  | 24 hours |
| B. Lavatory, tub, shower or kitchen sink with inoperable drain or no hot or cold water              | 48 hours |
| C. Inoperable refrigerator or cooking range or stove  | 48 hours |
| D. Nonfunctioning heating (during a period where heat is reasonably necessary) or electrical system | 24 hours |
| E. Inoperable electric fixture  | 72 hours |
| F. Broken exterior door or inoperable or missing exterior door lock                                 | 48 hours |
| G. Broken window with missing glass   | 96 hours |
| H. Inoperable exterior lighting   | 96 hours |
| I. Broken stair or balustrade   | 24 hours |
| J. Inoperable or missing smoke detector if required by code   | 24 hours |
| K. Inoperable required fire sprinkler system (if smoke detectors are not present or operating)      | 24 hours |
| L. Inoperable required fire sprinkler system (if smoke detectors are installed and operable)        | 96 hours |
| M. Broken or leaking water pipes causing an imminent threat to life, safety or health               | 24 hours |
| N. Other broken or leaking water pipes  | 72 hours |

The tenant shall grant the property owner reasonable access to perform the repairs required above.

### **15.32.110 Tenant repair and deduct.**

If the property owner fails to begin making the repairs required by Section 15.32.100 above, within the specified times, the tenant may cause the repairs to be made subject to the following provisions:

A. *Critical Repairs.* If the repairs involve an inoperable toilet, lack of heat during a period for which heat is required, broken or leaking water pipes posing an immediate threat to life, safety or health or a complete lack of running water the tenant may, upon the expiration of the notice period specified in Section 15.32.100, cause the necessary repairs to be made.

1. In making such repairs the tenant must use a licensed contractor if such a licensed contractor is required by applicable building or housing codes.

2. If a licensed contractor is required for the work, the tenant shall make reasonable efforts to obtain two bids for the work and, if bids are not obtained, shall contract for the work to be done by someone else at a reasonable cost.

B. *Noncritical Repairs.* If the required repairs are not critical repairs subject to the provisions of subsection A above, the tenant, after the expiration of the notice time required by Section 15.32.080 above, shall give the property owner or agent identified in Section 15.32.030 above a second written notice of intent to repair and deduct. This second notice shall be either delivered and served personally upon the property owner or agent or sent by both certified and regular mail.

1. The second notice shall state the nature of the problem, the date the tenant sent the first notice required by 15.32.080, and the intention of the tenant to cause the repairs to be done and to deduct the cost from the rent if the property owner does not make the repairs.

2. The property owner shall start making the required repairs within 48 hours after the hand delivery of the second notice or by the

end of the second calendar day after the date of mailing of the second notice.

3. If the required repairs have not begun within the time specified in subsection (B)(2) above, the tenant may cause the repairs to be made.

4. In making such repairs the tenant must use a licensed contractor if such a licensed contractor is required by applicable building or housing codes.

5. If a licensed contractor is required for the work, the tenant shall make reasonable efforts to obtain two bids for the work, and, if bids are obtained, shall contract for the work with the low bidder.

6. If a licensed contractor is not required for the work, the tenant may do the work on his or her own or contract for the work to be done at a reasonable cost.

C. *Deductible Amount.* For any repairs made pursuant to this section, the tenant may deduct from future rent the actual and reasonable cost of the repairs performed up to a maximum deduction of \$400.

D. *Nontermination.* The property owner may not terminate the tenant's tenancy for the tenant's deduction of rent for repairs made pursuant to this section nor may the property owner terminate the tenancy until the tenant's costs, not to exceed \$400, for repairs made under this section have been offset by deducted rent.

E. *Tenant Caused Damages.* The repair and deduct provisions of this section shall not be applicable to any damages caused or repairs necessitated by actions of the tenant or the tenant's invited guests or other occupants of the dwelling unit.

### **15.32.120 Retaliatory conduct prohibited.**

A. Except as provided in this section and UTAH CODE ANN. § 57-22-4 a property owner may not terminate a rental agreement or bring or threaten to bring an eviction action because the tenant has in good faith:

1. Complained of code violations at the premises to a governmental agency, elected representative or public official charged with responsibility for enforcement of a building, housing, health or similar code;

2. Complained of a building, housing, health or similar code violation or an illegal property owner practice to a community organization or the news media;

3. Sought the assistance of a community organization or the news media to remedy a code violation or illegal property owner practice;

4. Requested the property owner to make repairs to the premises as required by this chapter, a building or health code, other regulation, or the residential rental agreement;

5. Become a member of a tenant's union or similar organization;

6. Testified in any court or administrative proceeding concerning the condition of the premises; or

7. Exercised any right or remedy provided by law.

B. If the property owner violates any provision of this section, the tenant may recover the greater of one month's rent or actual damages, and reasonable attorney's fees.

### **15.32.130 Applicability of other ordinances.**

Notwithstanding any other provision of this chapter, acts or omissions of property owners and tenants may likewise be governed by other sections of this code governing health and public safety.

## Chapter 15.36

### APARTMENT HOUSE TENANT APPLICATION FEES

#### Sections:

#### **15.36.010 Purpose.**

#### **15.36.020 Tenant application fee defined.**

#### **15.36.030 Notice of acceptance criteria.**

#### **15.36.040 Application fees for persons receiving government assistance.**

#### **15.36.050 Maximum payment for tenant application fee.**

#### **15.36.060 Charging of application fees.**

#### **15.36.070 Penalty for violation.**

#### **15.36.010 Purpose.**

The city finds that it is necessary and proper that the city regulate apartment tenant application fees in order to provide for the safety, preserve the health, promote the prosperity, and improve the morals, peace, good order, comfort and convenience of the city and its inhabitants.

#### **15.36.020 Tenant application fee defined.**

For purposes of this chapter, “*tenant application fee*” means a fee charged to a prospective tenant by any owner, operator or manager of any residential rental unit within the city in connection with or as a condition of processing, handling or considering an application for tenancy at such premises. “*Tenant application fee*” shall not include refundable cleaning deposits, refundable security deposits, or other deposits or fees required as a condition of entering into a rental or lease agreement.

#### **15.36.030 Notice of acceptance criteria.**

Prior to application, an apartment owner, operator, or manager shall post or provide to prospective tenants written notice of the minimum criteria required for acceptance of an applicant.

#### **15.36.040 Application fees for persons receiving government assistance.**

Apartment owners, operators, and managers shall inform prospective tenants in writing that they may provide evidence of eligibility for any of the following government programs: emergency work program, home energy assistance, temporary aid to needy families, supplemental security income, medical assistance, food assistance, refugee assistance program, general assistance, or income at or below 130% of federal poverty guidelines. Upon proof of qualification, tenants shall not be charged application fees.

#### **15.36.050 Maximum payment for tenant application fee.**

Apartment owners, operators and managers shall not charge an application fee in excess of \$25 per applicant.

#### **15.36.060 Charging of application fees.**

A. Apartment owners, operators, and managers may charge a tenant application fee to prospective tenants of residential properties only if:

1. There is a rental unit actually and currently available for rent; and
2. The fee charged reasonably represents the actual incremental costs of processing the application, including but not limited to, the cost of checking credit history, criminal history references, and verification of references and other information on the application.

B. An apartment owner, operator, or manager may only process one application at a time until such application is accepted or rejected.

C. An application fee shall be refunded to the prospective tenant within 30 days if the application has not been processed.

D. Apartment owners, operators, and managers shall accept from a potential tenant a verified credit report or a verified criminal history that is dated within 30 days of the application and shall waive the portion of the application fee which relates to such credit report or criminal history.

**15.36.070 Penalty for violation.**

A violation of this chapter shall constitute a Class B misdemeanor.