

Potential Revisions to *Building Code Ordinance*
Introduced at the April 8, 2010 City Council Meeting
by Council Member Laura Morrison

- Part 2 of the Building Code ordinance posted in backup is amended to read as follows:

PART 2. City Code Chapter 25-12, Article 13 (*Administration of Technical Codes*) is amended to add new Sections 25-12-266, 25-12-267, 25-12-268, 25-12-269, and 25-12-270 to read as follows:

§ 25-12-266 TIME LIMITATION OF APPLICATION.

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless a permit has been issued; except that the building official is authorized to grant one extension of time for an additional period not to exceed 180 days. The extension shall be requested in writing before the application expires and justifiable cause demonstrated.

§ 25-12-267 EXPIRATION.

Except as provided in Section 25-12-268 (*Extension*) and Section 25-12-269 (*Reactivation*), a permit expires on the 181st day:

1. after the date that the permit is issued, if the project has received no inspections as required under this code; or
2. after the date of the last inspection [~~obtained for the project~~]
that shows progress towards completion of the project.

§ 25-12-268 EXTENSION.

Upon written request submitted prior to the expiration date, the building official may grant a one-time extension for a period not to exceed 180 days. Except as provided in Section 25-12-269 (*Reactivation*), a permit expires on the 181st after the extension is granted if the project has received no inspections as required under this code.

§ 25-12-269 REACTIVATION.

(A)[1.]The building official may reactivate a permit for a project that has received no inspections for a period of more than 180-days in accordance with the following requirements:

(1)[a.]An application to reactivate a permit must be submitted on a form provided by the building official, along with a reactivation fee established by separate ordinance, no later than 180-days after the expiration date provided for under Section 25-12-267 (*Expiration*) or Subsection (B) of this section.

(2)[b.]The application must include evidence demonstrating that substantial work required to complete the project was commenced in the 180-day period prior to the expiration date provided for under Section 25-12-267 (*Expiration*). The evidence, which must be in a form approved by the building official, may include receipts or invoices for work performed on the project, photographs of work performed on the project, or other evidence acceptable to the building official.

(B)[2.]A permit that is reactivated in accordance with this section expires on the 181st day after the date that the permit is reactivated if the project has received no inspections as required under this code.

(C)[3.]No more than one reactivation may be approved for one- and two-family residential projects or commercial projects granted site plan exemptions under Section 25-5-2(*Site Plan Exemptions*), unless the project complies with all codes and ordinances in effect on the date that the application for reactivation is submitted ~~[subject to the requirements of Section 1.2 of Chapter 25-2, Subchapter F (*Residential Design and Compatibility Standards*)].~~

(D) A building permit for a commercial project requiring a site plan under Section 25-5-1 (*Site Plan Required*) may not be reactivated if the site plan has expired under Section 25-5-81 (*Expiration*) or Section 25-5-82 (*Expiration of a Site Plan Approved Before January 1, 1988*).

§ 25-12-270 REVIEW FEE FOR EXPIRED PERMITS.

An applicant for a permit under this chapter must pay an expired permit review fee, established by separate ordinance, if the applicant has obtained one or more expired permits that have not been either reactivated in accordance with the requirements of Section 25-12-269 (*Reactivation*) or withdrawn by the property owner, in writing, on a form provided by the building official.