

**TOWN OF CASTLE VALLEY, UTAH
ORDINANCE 95 – 6 AMENDED**

**AN ORDINANCE OF THE TOWN OF CASTLE VALLEY REGARDING THE
BUILDING PERMIT PROCESS**

(This Ordinance amends and supersedes Ordinance 95-6)

WHEREAS, the Town of Castle Valley (“the Town”) has an Interlocal Agreement with Grand County (“the County”) regarding Building Inspection Services wherein the Town reviews and approves building plans for their compliance with the Town’s Zoning regulations before the County can issue a building permit, and

WHEREAS, the Town also has legal and liability issues in relationship to property owners who construct buildings on their lots, and

WHEREAS, changes to washes, drainages or waterways on individual lots may adversely impact town roads and other public infrastructure, and

WHEREAS, the Town has occasion to change its zoning regulations, and must also make changes in its regulations and forms in order to remain in compliance with changes in County law, Utah State law and case law relating to zoning and building, and

WHEREAS, the Town needs to have a building permit process which is clear and effective in meeting all these needs; therefore

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY, UTAH:

SECTION 1: SIGNED FORMS AND AGREEMENTS REQUIRED: The Town will have a Castle Valley Building Information Sheet which clearly specifies the submissions, forms, agreements and fees which the Town requires in order to gain Town Approval on a building permit application for submission to the County. At a minimum, the following signed documents are required in order to attain Town Approval for a building permit:

- a. A Castle Valley Building Information Sheet (initialed by applicant)
- b. An approved Septic Application for the Town of Castle Valley
- c. An approved Septic Permit signed by the State Sanitarian
- d. A building plan with all the information specified in the Castle Valley Building Information Sheet (signed by property owner, and, if relevant,

- the building contractor)
- e. A Single Dwelling Acknowledgment Form (signed by applicant)
- f. A Geologic Hazards Release Agreement (signed by applicant)
- g. A Drainage Review Form (signed by Roads Supervisor or other designated official)
- h. (Where applicable) An Acknowledgment and Release Agreement for lots without legal access (signed by applicant)
- i. (Where applicable) A Decommissioning Contract

Copies of these forms and agreements as they exist at the time of this Ordinance are attached to this Ordinance for information purposes.

SECTION 2: The content of the forms and agreements listed in Section 1 may be amended as deemed necessary by the Planning and Land Use Commission to keep them compatible with the ordinances of the Town and the County, Utah state law and evolving case law. Changes in content will be reported to the to the Town Council.

SECTION 3: Additional forms and agreements may be required as directed by the Town Council or as deemed necessary by the Planning and Land Use Commission to assure compliance with ordinances of the Town, Utah state law and evolving case law. Such additional forms and agreements will be reported to the Town Council.

SECTION 4: Town Approval for a permit for a new building or addition may be denied if any changes have already been made to any wash, drainage or waterway on the lot in a way that affects the exit point of surface water or the concentration of discharge at that point, as determined by a drainage review.

SECTION 5: Town Approval of a building permit application will take the form of the signature of the Town Building Permit Agent. Applications may be approved by the Town Building Permit Agent or referred to the Castle Valley Planning and Land Use Commission for review at their next regularly scheduled meeting. Approval can occur only after the completion of all requirements as specified in the Building Permit Information Sheet, including the payment of the required fees, and the approval of the Planning and Land Use Commission if referred to them. Once all these requirements are met, the Town has up to 10 business days to make the official Approval if the proposed building or addition meets all of the Town's zoning ordinances in effect at that time.

SECTION 6: Revocation of Town Building Permit Approvals:

- a. Town Approval of a building permit application will be revoked and become invalid if, within six months of receiving Town Approval, the applicant has not received a completed building permit from the County with all fees paid. If the Town's Approval is revoked on this

basis, the fee paid to the Town will not be refunded. If the applicant wishes to start the application process again, new forms must be filed and a new fee must be paid.

- b. If the County revokes a completed building permit for any reason, the Town's Approval is also revoked. If the applicant wishes to revive such an application, the applicant must begin anew the application process with the Town. In such an instance, the original fee will not be refunded.
- c. The applicant may extend the Town's Approval for an additional six months with no additional fee as long as: no changes have been made to the applicant's proposed building or addition; no changes have occurred in the Town's zoning requirements since the applicant's original approval; and the Town's Approval has not been revoked for any reason. If any of the above have occurred, the applicant must begin anew the application process with the Town.

SECTION 7: SEVERABILITY: If any provision of this ordinance or any application thereof to any person(s), entity, or circumstance is held invalid, the remaining provisions of this ordinance and applications thereof to other person(s), entities, or circumstances shall not be affected thereby.

SECTION 8: EFFECTIVE DATE: This ordinance will become effective immediately upon passage by the Town Council of the Town of Castle Valley with regard to all building permit applications made after this date.

PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Castle Valley, Utah in open session the 22nd day of October, 2008 by the following vote:

Those Voting AYE: Damian Bollermann, Jim Lindheim, Ranna Bieschke, Aaron Davies.

Those voting
NAY: None.

Those ABSENT: Valli Smouse.

ATTEST:

APPROVED:

Denise Lucas, Town Clerk

Damian Bollermann, Mayor