

Bill No. SB 2286

Barcode 422832

CHAMBER ACTION

Senate

House

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The Committee on Community Affairs (Bennett) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Applications to local governments for building permits.--

(1)(a) Within 10 days after an applicant submits an application to a local government for a building permit, the local government shall advise the applicant what information, if any, is needed in order for the application to be properly completed in compliance with the permit-application requirements published by the local government. If the local government does not provide written notice that the applicant has failed to submit the properly completed application, the applicant shall automatically be deemed to have properly completed the application and the application shall be accepted and available for processing.

(b) If additional information is required in order for

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1 the local government to determine the sufficiency of the
2 application, the local government shall notify the applicant
3 within 45 days after receipt of the completed application and
4 shall specify any additional information that is required. The
5 applicant must submit the additional information to the local
6 government or request that the local government act without
7 the additional information. While the applicant responds to
8 the request for additional information, the 120-day period
9 prescribed under paragraph (c) is tolled. Both parties may
10 agree to a reasonable request for an extension of time,
11 particularly in the event of a force majeure or other
12 extraordinary circumstances.

13 (c) Within 120 days following the receipt of the
14 completed application for a building permit, the local
15 government must approve, approve with conditions, or deny the
16 application.

17 (2)(a) The procedures provided in subsection (1) apply
18 to applications for a permit for an accessory structure, an
19 alarm permit, a permit for a nonresidential building of less
20 than 25,000 square feet, an electrical permit, an irrigation
21 permit, a landscaping permit, a mechanical permit, a plumbing
22 permit, a permit for a residential unit other than a
23 single-family unit, a permit for a multifamily residential
24 unit that does not exceed 50 units, a roofing permit, a permit
25 for a sign, a permit for site-plan approval or a subdivision
26 plat that does not require a public hearing or public notice,
27 and a permit for lot grading or site alteration that is
28 associated with an application for any permit specified in
29 this paragraph.

30 (b) Subsection (1) does not apply to a permit for any
31 wireless communication facility and does not supersede any

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1 other provision of law, rule, or local ordinance which
2 specifies a different timeframe for review of an application
3 for a local building permit.

4 Section 2. This act shall take effect July 1, 2005.

7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 Delete everything before the enacting clause

11 and insert:

12 A bill to be entitled

13 An act relating to building permit
14 applications; requiring that a local government
15 automatically consider an application for a
16 building permit to be properly completed unless
17 the applicant is notified in writing within a
18 specified period that additional information is
19 required; requiring that the local government
20 notify an applicant following receipt of a
21 completed application for a building permit if
22 additional information is required and to
23 approve, approve with conditions, or deny an
24 application within a specified period;
25 specifying those building permit applications
26 to which the act applies; exempting wireless
27 communication facilities from application of
28 the act; providing that the act does not
29 supersede any other provision of law, rule, or
30 local ordinance; providing an effective date.