

fire wall, fire rated partition or outstanding code compliance item would be considered unacceptable or not substantially complete for a hardship case cut-in.

**Sec. 8:242. Temporary utility connection instructions.**

The following items shall be required before the utility company will be notified regarding temporary approval of electrical and/or gas cut-ins for new residential, commercial construction, remodeling and/or additions to existing structures:

- (1) Residential construction: A temporary utility cut-in request/agreement form (residential) shall be signed and submitted by the owner. The form may be obtained, upon request, from the building official. Upon approval of the request, the authorized representative shall complete the cut-in information.
- (2) Commercial construction: Temporary utility cut-in request/agreement form (commercial), shall be obtained from and submitted to the inspection division record room.
- (3) The official certificate of elevation must be submitted and approved by the Record Room.
- (4) If the final electrical inspection has not been approved at the time of the request for temporary cut-in, the project's licensed electrical contractor shall purchase a temporary electrical cut-in permit, allowing the electrical inspector to perform the required temporary cut-in inspection.
- (5) If the gas and final plumbing inspection has not been approved at the time of request for temporary gas service, the project's licensed plumbing contractor shall purchase a gas test permit, allowing the plumbing inspector to perform the required inspection.
- (6) The building, plumbing and heating and air conditioning contractors must have purchased all required permits and shall notify the appropriate sections of the inspection division to request the required temporary cut-in inspection and their approvals.
- (7) The "Temporary Utility Cut-In Request/Agreement" form must be legible in the event of a facsimile transmission.

*Special Notes to Applicant.*

- (1) No wires shall be exposed, all receptacles and switches installed, etc.
- (2) All plumbing lines opening into building to be cut-in shall be capped.
- (3) Switch gear and breaker panel rooms must be clean, orderly and locked, with only the project's licensed electrical contractor having access to these panels.
- (4) All temporary utilities will be called-in to the appropriate utility company, by the inspection division personnel, and cut-in under the name of the project's general contractor and not the owner or tenant.
- (5) The authorized representative will consider the degree of completeness, especially with regards to safety items, i.e., items that are found in the Life Safety Code (National Fire Protection Association) as well as Standard Building Code and that are not compliant on the job.

- (6) Upon approval of temporary utility connection, the owner shall be mailed his completed portion of the temporary utility cut-in request/agreement

## **PART V. MISCELLANEOUS**

### **Sec. 8:250. Liability.**

Every licensee shall be responsible for any and all defects of any construction installed by him, and the issuance of a certificate of approval of the work shall not be construed to relieve the licensee of such responsibility. Nothing contained in this chapter will be construed to relieve or lessen the responsibility or liability of any person for injury or damage to any person or property caused by or resulting from any defects of any nature in any work performed by the person, or in any equipment owned, controlled, installed, operated or used by them. Nor shall St. George, or any officer, agent or employee thereof, incur or be held as assuming any liability by reason or in consequence of any permit, permission, certificate of inspection, inspection or approval authorized herein, or issued or given as herein provided or by any reason or consequence of any things done or acts performed pursuant to any provision of this Title.

### **Sec. 8:251. Transfer of ownership.**

No owner of any building or structure or portion thereof upon whom a notice has been served that violations of this Code exist in such building or on its premises shall sell, transfer, grant, mortgage, lease or otherwise dispose of such property until compliance with such notice or order has been secured, or until such owner shall transferee, grantee, mortgagee or lessee a true copy of such notice or order and at the same time shall have given adequate notification to the building official of his intent to enter into such transaction, including supplying the name and address of the person or firm to whom the sale, transfer, grant, mortgage or lease is proposed. A purchaser who has been informed of the existence of any notice or order pursuant to this Code shall be found thereby. The building official shall not issue a certificate of occupancy or a temporary certificate of occupancy within the boundaries of St. George without proof that the place of occupancy has been inspected and accepted by the appropriate fire official.

### **Sec. 8:252. Violation penalties.**

- (a) Any person, firm, corporation or agent who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish or move any structure, or has erected, constructed, altered, repaired, moved or demolished a building or structure in violation of a detailed statement or drawing submitted and approved thereunder, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed or continued; and upon conviction of any such violation, such person shall be fined not less than \$50, nor more than \$500 or by imprisonment for not more than 60 days, or by both fine and imprisonment.
- (b) The building official may issue a misdemeanor summons to any person, firm, corporation or agent who is in violation of any provision of the adopted codes.



- (c) The imposition of the penalties herein authorized shall not be construed as in any way limiting the right of the city to institute judicial proceedings for the purpose of requiring compliance with or enforcing the provisions of this chapter or the code adopted thereby.

**Sec. 8:253. Records**

The building official shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection. Residential records: Records pertaining to residential structures shall be retained so long as any part of the building or structure is in existence, with the exception to the plans and specifications. The plans and specifications may be destroyed one year from date of completion without being microfilmed or electronically digitized. Any other documents may be destroyed after two years from the date of completion, once the originals have been microfilmed or electronically digitized.

**CHAPTER 3. CONSTRUCTION BOARD OF APPEALS**

**Sec. 8:300. Duties and authority of Construction Board of Appeals.**

- (a) In addition to the duties prescribed in Title 1, Chapter 5, Sec.511 of this Code of Ordinance, the Construction Board of Appeals shall have the following duties under this Title:
  - (1) The Construction Board of Appeals shall act as an advisory board in matters pertaining to building regulations.
  - (2) The Construction Board of Appeals shall have the authority to interpret the provisions of the building regulations and to authorize variations where the strict enforcement of the provisions would create unnecessary hardship, do manifest injustice, and be contrary to the public interest. The Construction Board of Appeals shall have full authority and power of enforcement of all provisions of this chapter, and power to investigate and recommend to the Council such revisions and changes therein as the board may, from time to time, deem necessary.
  - (3) The Construction Board of Appeals shall administer the provisions of this Title and to adopt such reasonable rules and regulations as may be necessary for the administration and enforcement of this title, provided such rules and regulations are consistent with the provisions hereof and in accordance with recognized standards and practices in the industry.
  - (4) The Construction Board of Appeals shall have authority to act upon appeals, to interpret the provisions of this chapter and to authorize variations where strict enforcement would create unnecessary hardship, do manifest injustice, and be contrary to the public interest.
- (b) No rule or regulation of the board shall become effective, until four weeks after notice of intention to enforce it shall have been given through the publication in a newspaper in general circulation in the city and until a public hearing on the same shall have been held; provided

that the public hearing shall not be necessary unless a request shall have been made for such hearing during the period of publication. Such rule or regulation must be drawn in its proposed form and open to public inspection at the time the notice to enforce is published. Rules and regulations promulgated as herein provided shall have the same force and effects as provisions of this chapter. Any rule may be amended or repealed by the same procedures prescribed for the adoption of new rules. Such rules and regulations as may have been heretofore adopted by the board shall remain in full force and effect until amended or repealed as provided herein.

**Sec. 8:301. Appeals of decision of the building official.**

Should any difference of opinion arise concerning the application and enforcement of this Title by the building inspector, the owner of the building, structure or service system, or his duly authorized agent, may appeal a decision of the building official to the board of construction appeals within ten days after notice of any decision of the building inspector. The appeal shall be in writing to the board, stating full particulars of the dispute; otherwise the decision of the building inspector shall prevail.

**Sec 8:302. Unsafe or Dangerous Buildings or Service Systems.**

In the case of a building, structure or service system which, in the opinion of the building official, is unsafe, unsanitary or dangerous, the building official may, in his order, limit the time for such appeals to a shorter period than stated in Sec. 8:301.

**Sec. 8:303. Decisions**

The Construction Board of Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official or varies the application of any provision of this Code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the building official for two weeks after filing. Every decision of the board shall be final, subject however, to such remedy as any aggrieved party might have at law or in equity.

**CHAPTER 5. HOUSE MOVING**

**Sec. 8:500. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building means a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property and used for residential, business, mercantile, storage,



commercial, industrial, institutional assembly, educational or recreational purposes. Structures that carry a vehicle tag are excluded.

Building mover means any person who moves or procures an agreement to move a building over, along or across any public way (not to include state roads), street or alley.

**Sec. 8:501. Permit required; issued only to licensed movers.**

- (a) No person shall move any building, except those regulated by R.S. title 47, over, along or across any public way, street or alley without first obtaining a permit from the building official. Permits shall be issued only to licensed building movers. The building official or his designated representative shall inspect all buildings prior to moving same into or within the city. The building official may refuse to issue a permit for the moving of any building which, in his opinion, is likely to cause serious bodily injury or harm to any person, or serious property damage to any public streets or improvements, or if the cost of repairs to the building in order to comply with the building, plumbing, electrical and heating and air conditioning codes of the city exceeds 50 percent of the then physical value of the building. No permit will be issued to move a building which has been condemned by the Council to be relocated to another site within the city.
- (b) No person shall move any building over, along or across the Interstate or any state-maintained highway under the provisions of a city permit without first showing that a building moving permit has been obtained from the Louisiana Department of Transportation and Development. When the route to be followed by the mover contains both state highways and city streets, the conditions of the DOTD permit shall prevail while the mover operates on the state highways.
- (c) No permit for moving any building, structure, or part thereof, over any part of a public way, shall be issued unless the route therefor has been submitted to the city traffic engineer and approved by him as not likely to cause damage to the public way, and submitted to the Chief of Police and to the chief of the fire department and approved by them as not likely to cause unreasonable interference of traffic or the movement of firefighting equipment. Before any fire alarm, telephone, telegraph, electric light, cable television wire, power line or wire cable is cut or moved, or any street lamp post or other property is moved for the purpose of moving a building, structure or part thereof, the contractor shall come to an agreement with the parties owning the same, and shall pay to them the amount agreed upon to cover the damages and costs thereof. Evidence to such agreement shall be filed with the inspection division prior to issuance of the permit. Only competent linemen shall be employed to do any electrical work necessary. No tree or branch thereof shall be cut or trimmed for the purpose of moving any building, structure, or part thereof, or for any other private commercial purpose, except by public utilities, without the written consent of the adjacent property owner and the director of landscape and forestry for the city, and DOTD approval if located on a state road.
- (d) All applications for permits under the provisions of this section shall be as set forth in the fee schedule adopted by the City of St. George.

**Sec. 8:502. Application.**

- (a) Filing. A person seeking issuance of a permit under this part shall file an application for such permit with the building official.
- (b) Form. The application shall be made in writing, upon forms provided by the building official, and shall be filed in the office of the building official.
- (c) Contents. The application shall set forth:
  - (1) A description of the building proposed to be moved, giving street number, construction materials, dimensions, condition of exterior and interior.
  - (2) A legal description of the lot from which the building is to be moved, giving the lot, block, and tract number, if applicable.
  - (3) A legal description of the lot to which such building is to be relocated, giving the lot, block and tract number, if applicable.
  - (4) A plot plan of the site the building is to be relocated to within the city, showing the exact portion of such lot to be occupied by the building when moved.
  - (5) A foundation plan as required by the building official.
  - (6) A flood zone determination form for the proposed location.
  - (7) A proposed certificate of elevation for the proposed location.
  - (8) The public ways, streets and alleys over, along or across which the building is proposed to be moved.
  - (9) Moving date and hours.
  - (10) Any additional information which the building official shall find necessary to a fair determination of whether a permit should be issued.
  - (11) The owner or applicant shall also state the name of the contractor or person to be responsible for such moving and shall furnish evidence that such contractor or person, firm or corporation is properly licensed by the city, that all occupational license taxes due the city, have been paid.
  - (12) Prior to relocation of any building, the building mover shall submit a certificate signed by a licensed pest control operator certifying that the structure has within 30 days of the date of the certificate, been treated by him for the control and eradication of vermin, rodents and household insects according to the standards of the standards of the state structural pest control commission.
  - (13) After the permit is issued and relocation begins, the building mover shall continuously and without interruption work at moving the building until it reaches the destination shown in the permit. A building mover's failure to comply herewith shall, in addition to the penalties otherwise provided, be a cause for suspension or revocation of the license.

**Sec. 8:503. Submission for approval.**

- (a) No permit for moving any building shall be issued by the inspection division until the



application containing the information above set forth has been submitted and approved by such other law enforcement and public safety agencies that may deem appropriate or necessary under the circumstances.

- (b) Except as otherwise provided herein, no permit shall be issued to move any building over any part of a public way where such building exceeds 20 feet in width, combined overall length of 75 feet, or 16 feet in height; the height to be measured from the junction of the moving conveyance with the ground to the highest point of the house or building to be moved; provided, however, that the building official may increase such limits if the route to be used indicates that such increase will not result in creating a traffic hazard or damage to affected utilities.
- (c) Standards for issuance. The inspection division shall refuse to issue a permit on the following grounds:
  - (1) That any application requirement or any fee or deposit requirement has not been complied with.
  - (2) The approval of the building official has not been previously secured or if for any reason such approval is withheld.
  - (3) That the building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the city.
  - (4) That the building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the city. If a structure has been condemned by the city, it is a rebuttable presumption that it is unsafe to be moved.
  - (5) That the applicant's equipment is unsafe and that persons and property would be endangered by its use.
  - (6) That zoning, fire prevention, or other ordinances would be violated by the building in its new location.
  - (7) That for any other reason persons or property in the city would be endangered by the moving of the building.
  - (8) That the structure proposed upon the new site does not meet the requirements of the building, plumbing and electrical codes and other regulations applicable thereto.

**Sec. 8:504. Duties of inspection division.**

- (a) The chief of the inspection division shall inspect the building to determine whether the standards for issuance of a permit are met. It shall be the duty of the chief of the inspection division to have an inspection made of the sidewalk and curb of the present location and the proposed location of the building before such moving operations are commenced, and to make an additional inspection of both locations after such moving operations are completed; and if damage has resulted to the sidewalk, curb or street, a report of such damage shall be made to the Director of Public Works. The Director of Public Works shall make demand upon the moving contractor that such damage be repaired, and in the event such damage is not immediately repaired, will be a cause for suspension or revocation of the license.

- (b) The inspection division shall deposit all fees with the director of finance.
- (c) Before giving approval required by him, the building official shall act to ensure maximum safety to persons and property in the city and to minimize congestion and traffic hazards on public streets.

**Sec. 8:505. Duties of permittee.**

Every permittee under this chapter shall:

- (1) Use designated streets. Move a building only over streets designated for such use in the written permit. Restricted hours are from 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 9:00 p.m. Once the move begins, only the law enforcement officers have the authority to alter the route due to emergency or safety reasons.
- (2) Notify of desired moving time. Notify the inspection division in writing of a desired change in moving date and hours as stated in the application.
- (3) Notify of damage. Notify the inspection division in writing of any and all damage done to property belonging to the city within 24 hours after the damage or injury has occurred.
- (4) Equipment licensed. All equipment used shall have a current license tag on the tractor, current commercial safety sticker, inspected by the Louisiana Department of Public Safety, current license tag on the trailer, and a properly posted sign on the tractor showing moving contractor's name. In addition, a copy of insurance, vehicle registration, and city-approved permit must be in the vehicle.
- (5) Comply with governing law. Comply with the building code, the zoning ordinance and all other applicable ordinances and laws upon relocating a building in the city.
- (6) Condition of original building site. Original building site is to be left in a safe and sanitary condition.
- (7) Remove service connections. See that the sewer line is plugged and gas and water shut off. The permittee shall notify the gas and electric service companies to remove their services a minimum of one work day in advance of the move.
- (8) Pay expenses of officers. Pay the expense of any officer required by the chief of the inspection division to accompany the movement of the building to protect the public from injury. The contractor shall pay the law enforcement officers the assigned rate. The house mover will have 30 minutes from the starting time to begin the move; if the 30-minute time has lapsed, then the move will be terminated for that day. Due to shift changes, it will be necessary to have a cutoff time of 2:00 p.m.; however, should the house mover want to continue his move to 3:00 p.m., it will be necessary to hire two more motorcycle units to continue the escort. Notice for a house moving will be given to the traffic office the day before the move (24 hours). Any cancellation will be two hours before the scheduled time of the move.
- (9) Planning and examination of route. Plan route of the move and drive the route to check out all clearances that may be needed for safe passage. Notify all overhead utilities a minimum of three working days in advance of the move in order to check clearance of the planned route.



- (10) Notification of escorts. Notify all needed escorts a minimum of one work day in advance of the move. In the event of any delay or cancellation of the move for that day, notify all escorts a minimum of the beginning of that work day.

**Sec. 8:506. Exceptions.**

The provisions of this chapter shall not apply to the moving of small builders' shanties and other similar temporary structures where the structure can be moved on normal automotive equipment, will not exceed 12 feet in width, 14 feet in height, or overall combined length of 75 feet, and will not require the blocking of right-of-way or interference with the normal movement of traffic.

**Sec. 8:507. Enforcement.**

- (a) Enforcing officers. The building official, the police department and the Department of Public Works shall enforce and carry out the requirements of this chapter.
- (b) Permittee liable for expense above deposit. The permittee shall be liable for any expense, damages or costs, resulting from his use of the public streets; and the City Attorney shall prosecute an action against the permittee in a court of competent jurisdiction for the recovery of such amounts.
- (c) Condition of premises. The permittee shall leave the premises in a safe and sanitary condition. Where the permittee does not comply with the requirements of this chapter, he shall be subject to suspension of license until such requirements are met.

**Sec. 8:508. Penalty.**

Any person who shall violate any of the provisions of this part shall, on conviction, be fined not more than \$500.

**Sec. 8:509. Liability and worker's compensation insurance.**

- (a) Every applicant for a permit must secure liability insurance covering all of his working operations, including loading and unloading buildings upon vehicles, in minimum amounts of \$300,000 each person, \$500,000 each accident, and \$300,000 property damage; and automobile liability insurance in minimum amounts of \$300,000 each person, \$500,000 each accident, and \$300,000 property damage covering all vehicles used in the business. In addition, workmen's compensation insurance shall be carried on all employees in the amount of \$100,000. The insurance policies of companies authorized to do business in the state shall be delivered to the building official, and each policy shall, by its terms, provide that it cannot be canceled until after ten-days' written notice to the building official. Should any licensed building mover fail to provide another policy of liability and worker's compensation prior to such cancellation, then his license shall be automatically suspended as of the date the insurance policy ceases to be effective. Suspension as provided in this section shall be automatic and effective without notice or hearing as otherwise required by

this chapter.

- (b) Every insurance policy shall include the City of St. George as additionally insured under their policy.

## **CHAPTER 6. PIPELINES AND SIMILAR FACILITIES**

### **Sec. 8:600. Permit required.**

No pipeline or other similar facility shall be constructed or installed in public rights-of-way or over and across any public or private property within the city unless a permit therefor shall first have been obtained from the permit division of the Department of Public Works.

### **Sec. 8:601. Submission for approval.**

The installation and construction of all such pipelines or other similar facilities shall be in accordance with plans approved by the Department of Public Works and the Department of Public Works may require the applicant for such a permit to submit such plans as may be necessary to effect the provisions of this chapter.

### **Sec. 8:602. Requirements.**

Whenever any pipeline is to be installed in, over or through any public road or street right-of-way or public servitude located anywhere in the city, a permit as above provided must be obtained and the following additional requirements shall be met:

- (1) All pipeline crossings of public roads are to be cased and vented or as approved by the Director of Public Works provided said design meets or exceeds the current Louisiana Department of Transportation and Development standards.
- (2) If crossings are made by excavation rather than boring, the roads are to be restored to their original condition, and said cuts are to be maintained for a period of 36 months.
- (3) All crossings of drainage canals, streams, ditches, etc., are to be made in such a manner as to permit future enlargement and/or improvement of the drainage facilities.
- (4) If the material removed from an excavation is not suitable for backfill, the permittee shall haul it away and provide suitable backfill material.
- (5) All alterations and/or relocations of the proposed pipeline which may become necessary due to the improvement and/or widening of the public roads and/or drainage canals or public servitudes shall be done entirely at the expense of the permit holder and upon request, even though the above provisions have been met, and each permit issued under this section shall bear a statement to that effect.
- (6) The installation and construction of all such pipelines or other similar facilities shall be subject to the supervision of the Department of Public Works. A stop work order may be issued for any failure of the permittee to comply with the conditions of his permit or where a danger to the public exists.
- (7) The Department of Public Works shall estimate the time required for all such installations and permit fees shall be collected at the rate of \$12.50 per day.



- (8) Bond required.
- (a) Before any permit shall issue under this section, the applicant shall post bond in favor of the city in the amount of \$5,000, plus an amount estimated by the engineering division of the Department of Public Works as sufficient to cover the cost of filling and maintaining excavations as required by this chapter. The bond shall be written by a surety company authorized to transact business in the state and shall be approved as to form by the City Attorney.
  - (b) The bond hereby required shall be conditioned upon the permittee's compliance with this chapter and to secure and hold the city harmless against any and all claims, judgments or other costs arising from the excavation and other work covered by the permit, or for which the city, or any officer or employee thereof, may be made liable by reason of any accident or injury to persons or property through the fault of the permittee either in not properly guarding the excavation or for any other injuries resulting from the negligence of the permittee, and further conditioned to fill, restore, and place in good and safe condition, as near as may be to its original condition, and to the satisfaction of the Department of Public Works, all openings and excavations made in public roads, street rights-of-way or public servitudes, including drainage and sewerage facilities and servitudes, and to maintain any road, street or servitude where excavation is made, in as good condition for a period of 36 months after the work shall have been completed, usual wear and tear excepted, as it was in before the work started. Any settlement of the surface within the said three-year period shall be deemed conclusive evidence of defective backfilling by the permittee. Nothing herein contained shall be construed to require the permittee to maintain any repairs to pavement made by the city. Recovery on the bond hereby required for any injury or accident shall not exhaust the bond but it shall in its entirety cover any or all future accidents or injuries during the excavation work for which it is given. If any suit or claim against the city by reason of the negligence or default of the permittee, and upon the giving of written notice to the permittee of such suit or claim, any final judgment against the city requiring payment for such damage shall be conclusive upon the permittee and his surety. If at any time during the three-year period the permittee shall fail to properly backfill and maintain any excavation, the city shall, upon giving of ten-days' written notice to the permittee and to his surety, shall be entitled to contract for the necessary work and to call upon the permittee and his surety to pay the entire cost thereof.
- (9) Before any permit shall issue under these sections, the applicant shall also furnish to the Department of Public Works a certificate of insurance evidencing public liability insurance issued by an insurance company qualified to do business in the state which insurance coverage shall afford protection against third persons sustaining injury or damage as a result of the negligent construction, operation and maintenance of the pipe line or other similar facilities by the operator thereof and shall name the city as an additional insured thereunder for such coverage only, and shall not have less than the following limits of liability:

- (a) For each accident causing bodily injury \$300,000 for each person injured and \$500,000 for each accident; and
- (b) \$100,000 for property damage sustained in any one accident.

The policy shall remain in full force and effect so long as any pipeline is maintained and operated pursuant to any permit issued hereunder and shall provide that the city shall be given at least ten days' written notice prior to its cancellation. If notice of cancellation is given and another certificate of insurance evidencing the issuance of a policy meeting all terms and conditions hereof is not furnished prior to the end of the ten-day period, the permit shall automatically be forfeited and the applicant shall immediately discontinue its operations thereunder. Provided, however, that the reinstatement of the insurance coverage provided herein and the furnishing of a certificate of such insurance coverage to the city shall entitle applicant to immediate reinstatement of its permit. In addition to the aforesaid insurance requirement, any permit issued under these sections is conditioned on the understanding that the applicant and/or its insurer will fully protect and defend the city against any cause of action premised solely upon its act of issuing such permit. Nothing herein shall be construed as protecting or insuring the city as an additional insured under the aforesaid certificate of insurance, against any claims or liabilities which are or may be attributable to injuries or damages arising out of or resulting from any acts (except the sole act of issuing the permit described above), omission, negligence or fault of the city, its agents, servants, employees or by any other persons acting under its direction.

- (10) If it is necessary that the pipeline or other similar facility be altered, relocated or removed by reason of any public improvement, the Director of Public Works shall give notice to the owner thereof directing that the pipeline be relocated or removed. Within 30 days after receipt of such a notice, the owner shall commence the removal or relocation of its facilities in accordance with the direction of the Director of Public Works and shall prosecute such work with due diligence. If the owner fails or refuses to commence the work as herein provided, it shall be responsible to the city for any cost or damage occasioned by the delay in commencing and prosecuting such work.
- (11) Where pipelines or other similar facilities are located within existing street or other public rights-of-way under servitudes or titles acquired prior to the acquisition or dedication of the street or public rights-of-way and it is necessary that such pipeline or other similar facility be altered, removed or relocated in order to facilitate public improvements, then in such event, the Director of Public Works is authorized to immediately negotiate with the owner for the alteration, relocation or removal of the facility. If an agreement is reached under which such alteration, removal or relocation is to be carried out, the agreement shall provide, in addition to other terms and conditions contained therein, that the owner shall commence such alteration, relocation, or removal within 30 days after the execution of the agreement and shall prosecute the work with all due diligence. If an agreement cannot be reached with the owner, or if the owner fails or refuses to commence the work required under the agreement within 30 days after its execution, the office of the City Attorney is hereby authorized to take such steps as may be required or necessary in order to acquire the right to construct the public improvement over and across the existing pipeline or other similar facility.



## APPENDIX A. SCHEDULE OF FEES

### Building permit fees.

(a) Single-family residential construction.

- (1) Building value shall be \$82 per square foot plus \$40 per square foot for nonliving area.
- (2) Building permit fee shall be \$5 per \$1,000 value (Minimum \$100).
- (3) Trade permit fee shall be \$5 per \$1,000 contract price (Minimum \$100).

(b) Accessory structure construction.

Accessory structure is a structure 3,000 square feet or less and two stories or less in height located on a same lot with a single family residence with a use which is incidental to or customarily accessory to the residence. Accessory structure includes any structure detached from the residence including, but not limited to, carports, garages, sheds, workshops, barns, utility buildings, decks, gazebos, greenhouses and bathhouses.

- (1) Building value shall be \$10 per square foot.
- (2) Building permit fee shall be \$5 per \$1,000 value (Minimum \$50).
- (3) Trade permit fee shall be \$100 per trade.
- (4) One-story detached accessory structures are exempt from permitting, provided the floor area does not exceed 200 square feet and the structure is not connected to utilities.

(c) Commercial (All other construction except single family.)

- (1) Building value shall be determined as the contract price for the building structure or shall be 87% of the latest construction cost data as published in the Building Safety Journal by the International Code Council, a current copy of which shall be available at city services.

(2) Building permit fees.

Building Value	Permit Fee
Up to \$1,000,000	\$5 per \$1,000
\$1,000,000.01 to \$5,000,000	\$5,000 for the first \$1,000,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$5,000,000.
\$5,000,000.01 and over	\$17,000 for the first \$5,000,000; plus \$1.50 for each additional \$1,000 or fraction thereof.

- (3) Minimum permit fee shall be \$250.
- (4) The building permit fee shall include the cost of trade permits and initial inspections during normal business hours. General contractor to buy permit and trade applicants must sign permit.

**Additional permit fees.**

The permit fee for items not included in the following schedule shall be \$30. The following schedule of additional permit fees shall apply:

Description	Fee
Air conditioner units (addition or replacement)	
4.5 tons or less	\$40
Over 4.5 tons	\$59
Clothes dryer (commercial use)	\$28
Cooling towers (addition or replacement)	\$75
Demolition permit	\$100
Fence permit (other than electric or barbed wire fences)	\$30
Heaters (addition or replacement)	\$24
Manufactured home, mobile home, and modular buildings	
Installation of new home or building	\$100
Replacement of existing home or building	\$30
Meter pan/components (i.e., socket, riser pipe and/or weatherhead repair or replacements when the main electrical panel is not replaced)	\$30
Refrigeration units (addition or replacement)	
4.5 hp or less	\$40
Over 4.5 hp	\$52
Sprinkler system for lawns	\$25
Swimming pool (residential)	\$125
Swimming pool (commercial or community)	\$250
Water heater (addition or replacement)	\$30

**Disturbance permit fee.**

The fee for a disturbance permit shall be \$75 per tract of land.

**Plan review fees.**

- (a) Single-family residential construction. The plan review fee for single family residential construction including additions and remodeling shall be \$100.
- (b) Commercial (all other construction except single-family).
  - (1) The plan review fee for commercial, multi-family residential and other construction including new construction, renovations and additions shall be 35 percent of the building permit fee.
  - (2) The minimum plan review fee shall be \$250.
- (c) Stock, model or same as plans.
  - (1) The plan review fee for stock, model or same as plans for single-family residential homes shall be \$100 where there are no plan changes from a plan already reviewed.



- (2) The plan review fee for stock, model or same as plans for single-family residential homes shall be \$175 where there are minor changes to a plan already reviewed.
- (3) In order for a plan to qualify as a stock, model or same as plan, it must have initially been reviewed by City of St. George.
- (d) The fee for additional plan review required by changes, additions or revisions to plans already reviewed shall be \$100.
- (e) Each request for plan review shall be accompanied by a flood zone determination made upon the most recently adopted flood zone maps. The fee for obtaining a flood zone determination shall be \$30 per tract of land.
- (f) Accessory structure construction. The plan review fee for accessory structure construction shall be \$40.

**Inspection fees.**

The cost of performing inspections is included in the building permit fees; however, the following additional inspection fees shall apply:

- (1) The fee for a re-inspection shall be \$50. A reinspection fee will be assessed after the second failure for the same issue.
- (2) The fee for inspections conducted outside of normal business hours shall be \$100.
- (3) Permits expire 180 days from the last inspection. An expired permit can be re-instated for 50% of the original permit fee. The building inspector may reduce the fee for an expired permit where excessive bad weather or other events beyond the permittee's control delayed construction.

**Fee schedule for offsite drainage assessments.**

<b>Offsite Drainage Assessment Fees</b>	
<b>Verification fee</b> Applies to all sites meeting criteria to determine whether an Offsite Drainage Assessment is required	\$500
<b>Offsite drainage assessment/modeling</b> Covers sites up to 30 acres	\$5,000
<b>Additional offsite drainage assessment/modeling</b> For each acre over 30 (fee for partial acres will be prorated by 100 <sup>th</sup> of an acre)	\$125 per acre

**Work commencing before permit issuance.**

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees.

**Related fees.**

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**Section 2. Effective Date**

This Ordinance shall be effective upon publication.

This Ordinance having been submitted to a vote, the vote thereon was:

For: Cook, Edmonds, Heck, Himmel and Monachello  
Against: NONE

Adopted this 27<sup>th</sup> day of August, 2024.

Signed this 28<sup>th</sup> day of August, 2024.

Delivered to Mayor on the 28<sup>th</sup> day of August, 2024:

Lorraine Beaman  
Lorraine Beaman, City Clerk

Approved:

Dustin Yates  
Dustin Yates, Mayor

Received from Mayor on the 28<sup>th</sup> day of August, 2024:

Lorraine Beaman  
Lorraine Beaman, City Clerk

Adopted Ordinance published in *The Advocate* on the 16<sup>th</sup> day of September 2024.



**Sec. 8:235. Approval before covering required.**

It shall be unlawful for any person, his agent or employee to cover or conceal, or cause to be covered or concealed, any work requiring inspection without a certificate from the inspector certifying that the work has been approved.

**Sec. 8:236. Reinspection.**

- (a) If the building official or his representative finds that the work will not pass inspection, the licensee shall be required to make the necessary corrections, and the work shall then be resubmitted for test or inspection.
- (b) Where reinspection of workmanship, of material, or both, is made necessary through the failure of any licensee to comply with the provisions of this chapter and a reinspection is required, any applicable reinspection charge will be assessed against the licensee. Failure to properly locate the place where inspection is requested, causing the inspector to be unable to find the place and make it necessary for a second trip to be made or causing undue loss of time for the inspector, shall warrant a charge for reinspection. The charge in each case shall be made against the contractor in whose name the electrical permit for the job was issued. Charges for reinspection and undue loss of time in attempting to locate the jobs shall be paid upon receipt of notice from the building official.

**Sec. 8:237. Certificate of completion.**

No certificate of occupancy shall be issued for any building until the design professional has submitted a certificate of completion, signed and dated and imprinted with the professional's seal. This form shall certify the building has been completed in accordance with the plans and specifications submitted to the inspection division for permitting. The professional shall certify all maximum live structural loads on this certificate.

**PART IV. TEMPORARY UTILITY CONNECTIONS**

**Sec. 8:240. Applicable Code**

The provisions of this Chapter 1, Part V of this Title shall govern for any and all temporary services, and a license and permit shall be required to install any temporary equipment to provide temporary electrical energy to a dwelling, place of construction, or area of remodeling.

**Sec. 8:241. Temporary utility connections.**

Temporary approval of utility connection will be considered on an "as needed basis", such as hardship conditions pertaining to the installation of elevators, testing of mechanical equipment, poor weather conditions that would enable the installation of suspended ceiling tiles, wood cabinets or floors. The degree of job completion will be contemplated. For example, an incomplete