

CHAPTER 22. CERTIFICATES OF OCCUPANCY

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7-22-1. Certificate required.

No land shall be occupied or used and no building hereafter erected in part, for any residential, commercial, or industrial purpose until a certificate is issued by the Building Official stating that the building and/or the use complies with the provisions of this Title and with applicable uniform codes. The certificate shall be called a Certificate of Occupancy.

(Ord. 2000-20, 12-06-2000); (Ord. 87-16, 11-05-87)

7-22-2. Application.

Certificates of Occupancy shall be applied for coincidentally with the application for a building permit, and shall be issued within ten (10) days after the lawful erection or alteration of the building is completed.

(Ord. 2000-20, 12-06-2000); (Ord. 84-01, 01-17-84)

7-22-3. Prerequisites.

In addition to other provisions of this Title, no certificate of occupancy shall be issued until the following public improvements are completed and in place:

- (1) Street grading; base, dust treatment, paving, curb and gutter, parkstrip landscaping, and sidewalk as outlined in Title 4, Chapter 8, Tooele City Code;
- (2) Sanitary sewer facilities;
- (3) Culinary water facilities;
- (4) Address numbers.

(Ord. 2000-20, 12-06-2000); (Ord. 87-16, 11-05-87);
(Ord. 2014-09, 09-03-2014)

7-22-4. Exceptions.

Upon a finding of unusual circumstances, the Building Official may certify that the installation of certain required improvements, which are not essential to life, health, and safety, is impractical prior to physical occupancy, and may issue a Temporary Certificate of Occupancy. Prior to such issuance, the applicant shall do the following:

- (1) provide a cash bond in the amount of 200% of the estimated value of the incomplete improvements;
- (2) sign a Temporary Occupancy Bond Agreement on a form acceptable to the City Attorney;
- (3) pay a \$200.00 administrative fee;
- (4) agree to allowing the City upon the applicant's property in the event the bond is forfeited and the City completes the bonded improvements; and,
- (5) indemnify the City for any injuries or damages arising from the bonded improvements completed by the City.

Upon City approval of the improvements, whether completed by the applicant or the City, the City shall issue

a Certificate of Occupancy.

(Ord. 2000-20, 12-06-2000); (Ord. 87-16, 11-05-87)

(Ord. 2000-20, 12-06-2000); (Ord. 87-16, 11-05-87)

7-22-5. Deferral of prerequisites.

(1) The installation of the public improvements required by Section §7-22-3, herein, may be deferred by the Community Development Director or Public Works Director, or designee, upon written request of the building permit applicant, addressed to the Community Development Director, upon satisfying the following criteria:

(a) the building permit shall be for the construction of structures other than a new primary building (i.e., for completion of an unfinished space, garage or garage addition, building expansion, upgrade, or remodel, shed, accessory structures); and,

(b) the deferral shall not pose a substantial risk to the life, health, or safety of any persons, as determined by the Community Development Director or Public Works Director.

(2) The owner of the property subject to the building permit shall sign a Deferral Agreement and Release, on a form acceptable to the City Attorney, prior to issuance of the building permit.

(3) The Deferral Agreement and Release shall be recorded by the Community Development Director, or designee, in the offices of the Tooele County Recorder.
(Ord. 2015-19, July 15, 2015) (Ord. 2004-19, 11-17-04)