

**MIDVALE CITY, UTAH
ORDINANCE NO. 2013-O-09**

**AN ORDINANCE AMENDING TITLE 15.12.010 OF THE MIDVALE CITY
MUNICIPAL CODE; ALSO PROVIDING A SAVING CLAUSE AND AN
EFFECTIVE DATE FOR THE ORDINANCE.**

WHEREAS, pursuant to Section 10-8-84 Utah Code Annotated 1953 as amended the City has the authority to pass all ordinances and rules necessary for carrying into effect or discharging all powers and duties conferred to it by the State of Utah; and

WHEREAS, the State reserves the authority to adopt the current version of the Building Code on a regular basis; and

WHEREAS, currently the City adopts the Building Code as each subsequent version is adopted by the State; and

WHEREAS, such a procedure often leads to the Municipal Code not being consistent with current State Code; and

WHEREAS, it is in the best interest of the City and its residents to adopt the Building Code by reference to ensure said consistency; and

WHEREAS, in consideration of the above findings, the City Council has determined that the adoption of this ordinance to be in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Midvale City, Utah as follows:

See Exhibit A

Section 2. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall be effective upon publication of a summary thereof.

PASSED AND APPROVED this 20th day of August, 2013.

JoAnn B. Seghini
JoAnn B. Seghini, Mayor

ATTEST:

Ron L. Andreason
Ron Andreason, MMC
City Recorder



Date of first publication: August 25, 2013

Voting by City Council	"Aye"	"Nay"
Colleen Costello	<u>✓</u>	_____
Paul Glover	<u>✓</u>	_____
Robert Hale	<u>✓</u>	_____
Paul Hunt	<u>✓</u>	_____
Wayne Sharp	<u>✓</u>	_____

“EXHIBIT A”
(Ordinance No. 2013-O-09)

15.12.010 Codes adopted by reference.

A. The city hereby adopts the Utah State Construction Code of the nationally recognized code authority, as adopted by Section 15A-2-101, Utah Code Annotated, or its successor provided, that they shall not be retroactive except as provided for in the code:

1. All other nationally recognized codes adopted by the state as they relate to new construction. (Ord. 2/6/2007O-2 § 1 (part), 2007: Ord. 6/15/2004O-21 (part), 2004: Ord. 1-8-2002 § 1, 2002: Ord. 3-16-99 (part), 1999: Ord. 2-28-95 (part), 1995: Ord. 02-14-89C § 1, 1989: Ord. 11-15-88A § 1, 1988)

15.12.010 Codes adopted by reference.

A. The city hereby adopts the Utah State Construction Code of the nationally recognized code authority, as adopted by Section 15A-2-101, Utah Code Annotated, or its successor following international codes, including all amendments adopted by the state (R156-56-704); provided, that they shall not be retroactive except as provided for in the codes:

~~1.— 2003 International Building Code (IBC);~~

~~2.— 2002 National Electric Code (NEC);~~

~~3.— 2003 International Mechanical Code (IMC);~~

~~4.— 2003 International Plumbing Code (IPC);~~

~~5.— 2003 International Residential Code (IRC);~~

~~6.— 2003 International Fuel Gas Code (IFGC);~~

~~7.— 1998 CABO/ANSI A117.1;~~

~~8.— 1997 Uniform Code for the Abatement of Dangerous Buildings;~~

~~9.— 2003 International Energy Conservation Code (IEC);~~

10.— All other nationally recognized codes adopted by the state as they relate to new construction. (Ord. 2/6/2007O-2 § 1 (part), 2007: Ord. 6/15/2004O-21 (part), 2004: Ord. 1-8-2002 § 1, 2002: Ord. 3-16-99 (part), 1999: Ord. 2-28-95 (part), 1995: Ord. 02-14-89C § 1, 1989: Ord. 11-15-88A § 1, 1988)

15.12.020 International Fire Code and standards adopted.

The edition of the International Fire Code as adopted by Section 53-7-106, Utah Code Annotated, or its successor section is adopted by Midvale City as the fire code ordinance, rules and regulations of the city. Appendices A, B, C, D, E, F, G of the International Fire Code are specifically adopted by Midvale City as part of the fire code of the city. Hereafter, all references in this code to the fire code shall mean the edition adopted by Section 53-7-106, Utah Code Annotated, or its successor section, together with its appendices. One copy of the International Fire Code shall be filed for use and examination by the public in the office of the city recorder. (Ord. 2/6/2007O-2 § 1 (part), 2007)