

**TOWN OF INTERLAKEN  
Municipal Code**

**TITLE 09 BUILDING AND CONSTRUCTION**

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**CHAPTER 9.01 INTERLAKEN TOWN PLANNER AND PLANNING COMMISSION**

The Interlaken Town Planner works in cooperation with the Interlaken Planning Commission. Together they perform the following duties:

- A. To carry out, enforce and perform all duties, provisions and mandates designated, made and set forth in the ordinances of the Town concerning building, plumbing, electrical and mechanical construction, and repair.
- B. To examine and approve all plans and specifications before approval is given to proceed with an application for a building permit with the Town Planner (see Chapter 9.02).
- C. To collect all fees and deposits payable to the Town associated with the construction project. Fees and deposits are set from time to time through resolution by the Town Council.
- D. To issue an Interlaken Town Site Disturbance Permit before any person or entity may landscape, excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape or increase impervious surfaces upon any parcel of property located in the Town. (see Chapter 9.05)
- E. To verify that all applicants have a valid contractor's license or are exempt under this Chapter.
- F. Administer and enforce the provisions of this Chapter in a manner consistent with the intent thereof, and to inspect, or cause to be inspected, all buildings and structures erected, or proposed to be erected in the Town of all work authorized by

any permit, to assure compliance with provisions of this Chapter or amendments thereto, and to verify that all structures meet the minimum requirements of this Chapter.

- G. Condemn and reject all work done or being done, or materials used or being used that do not in all respects comply with the provisions of this Chapter and amendments thereto.
- H. Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Chapter.
- I. Investigate any construction or work regulated by this Chapter and issue such notice and orders that are necessary to prevent or to correct dangerous or unsanitary conditions.
- J. Authorize any utility to make necessary connections for power, water or gas to all applicants for such power, water, or gas in the Town, when the installation and all facets of the construction or remodel project conform to this Chapter.

## **CHAPTER 9.02 TOWN PLANNER**

The Town Planner provides the following services in cooperation with Interlaken Town:

- A. Issue permits to properly licensed contractors and persons, firms or corporations for work to be done within the scope of this Chapter as regulated by Utah Code. Permits applications are available on the Interlaken Town website.
- B. Perform building, plumbing, mechanical, and electrical inspections.
- C. Condemn and reject all work done or being done, or materials used or being used that do not in all respects comply with the provisions of this Chapter and amendments thereto.
- D. Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Chapter
- E. Investigate any construction or work regulated by this Chapter and issue such notice and orders that are necessary to prevent or to correct dangerous or unsanitary conditions.
- F. Issue a certificate of occupancy for all work approved.

## **Chapter 9.03 UNIFORM CODES ADOPTED**

### **Section 9.03.010 International Building Code Adopted**

### **Section 9.03.020 International Mechanical Code Adopted**

### **Section 9.03.030 International Plumbing Code Adopted**

### **Section 9.03.040 National Electrical Code Adopted**

### **Section 9.03.050 International Fire Code Adopted**

### **Section 9.03.060 International Energy Conservation Code Adopted**

### **Section 9.03.070 International Fuel Gas Code Adopted**

### **Section 9.03.080 International Residential Code Adopted**

### **Section 9.03.010 International Building Code Adopted**

The Town hereby approves and adopts the International Building Code, 2012 Edition, published by the International Code Council, as amended by the State Division of Occupational and Professional Licensing, including Chapter One, and Appendices E, I & J, with all its codes and standards for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and other miscellaneous construction in Town of Interlaken, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution.

### **Section 9.03.020 International Mechanical Code Adopted**

The Town hereby approves and adopts the International Mechanical Code, 2012 Edition, published by the International Code Council, as amended by the State Division of Occupational and Professional Licensing, including Chapter One, with all its codes and standards for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, and refrigeration systems, incinerators, and other miscellaneous heat-producing appliances in Town of Interlaken, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The International Mechanical Code, 2012 Edition is hereby adopted and made a part hereof as if fully set out in this ordinance.

### **Section 9.03.030 International Plumbing Code Adopted**

The Town hereby approves and adopts the International Plumbing Code, 2012 Edition, published by the International Code Council, as amended by the State Division of Occupational and Professional Licensing, including Chapter One and Appendices D, E & F, with all its codes and standards for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and other miscellaneous plumbing in Town of Interlaken, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The International Plumbing Code, 2012 Edition is hereby adopted and made a part hereof as if fully set out in this ordinance

**Section 9.03.040 National Electrical Code Adopted**

The Town hereby approves and adopts the National Electrical Code, 2011 Edition, published by the National Fire Prevention Association, as amended by the State Division of Occupational and Professional Licensing, including Annex G, as the Electrical Code for Town of Interlaken. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The National Electrical Code, 2012 Edition is hereby adopted and made a part hereof as if fully set out in this ordinance.

**Section 9.03.050 International Fire Code Adopted**

The Town hereby approves and adopts the International Fire Code, 2009 Edition, published by the National Fire Protection Association, as amended by the Utah State Fire Prevention Board. The Town further approves and adopts the following appendices to the International Fire Code, 2012 Edition, as amended by the Utah State Fire Prevention Board:

- A. Appendix B – Fire Flow Requirements for Buildings
- B. Appendix C – Fire Hydrant Locations and Distribution.
- C. Appendix D – Fire Apparatus Access Roads

The International Fire Code, 2012 Edition, along with Appendices B, C & D are hereby adopted and made a part hereof as if set out in the ordinance.

**Section 9.03.060 International Energy Conservation Code Adopted**

The Town hereby approves and adopts the International Energy Conservation Code, 2012 Edition, published by the International Code Council, as amended by the State Division of Occupational and Professional Licensing, including Chapter One, with all its codes and standards for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, and refrigeration systems, incinerators, and other miscellaneous heat-producing appliances in Town of Interlaken, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The International Energy Conservation Code, 2009 Edition is hereby adopted and made a part hereof as if fully set out in this ordinance.

**Section 9.03.070 International Fuel Gas Code Adopted**

The Town hereby approves and adopts the International Fuel Gas Code, 2012 Edition, published by the International Code Council, as amended by the State Division of Occupational and Professional Licensing, including Chapter One, with all its codes and standards for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and other miscellaneous heat-producing appliances in Town of Interlaken, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The

International Fuel Gas Code, 2012 Edition is hereby adopted and made a part hereof as if fully set out in this ordinance.

**Section 9.03.080 International Residential Code Adopted**

The Town hereby approves and adopts the International Mechanical Code, 2009 Edition, published by the International Code Council, as amended by the State Division of Occupational and Professional Licensing, including Chapter One and appendices E & H, with all its codes and standards for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, and refrigeration systems, incinerators, and other miscellaneous heat-producing appliances in Town of Interlaken, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The International Mechanical Code, 2012 Edition is hereby adopted and made a part hereof as if fully set out in this ordinance

**CHAPTER 9.04 PERMIT FEES**

The building permit fees shall be as set forth in and adopted by resolution by the Town Council from time to time.

## **CHAPTER 9.05 SITE DISTURBANCE PERMIT**

### **Section 9.05.010 Purpose and Intent**

### **Section 9.05.020 When Required**

### **Section 9.05.030 Application**

### **Section 9.05.040 Proper Operation and Maintenance**

### **Section 9.05.050 Inspection and Entry**

### **Section 9.05.060 Revocation and Suspension**

### **Section 9.05.070 Appeals**

### **Section 9.05.080 Prohibited Activities**

### **Section 9.05.090 Mud, Dirt, Materials, and Debris on Public Streets**

### **Section 9.05.100 Violations and Enforcement**

### **Section 9.05.110 Compliance with Federal and State Law**

### **Section 9.05.010 Purpose and Intent**

The purpose of this Chapter is to prevent discharge of sediment, dust, debris, and other construction-related material or pollutants from construction sites. Sediment and debris from construction sites are a major source of pollution to air, waterways and water systems located within Town of Interlaken and surrounding areas. Each year storm-water runoff and snowmelt off carries tons of sediment from construction sites into local drainage systems, irrigation systems, canals, rivers, and lakes. Sediment from storm-water runoff also clogs and causes damage to public and private property, wildlife habitat, water, and air quality.

### **Section 9.05.020 When Required**

A. Permit Required. A Town of Interlaken Site Disturbance Permit is required before any person or entity may landscape, excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape or increase impervious surfaces upon any parcel of property located in the Town. No excavating shall be done further than is necessary to place the lot on grade or for building a dwelling and /or garage.

B. Exemptions. The following activities are exempt from the permit requirements of this Chapter:

1. Actions by a public utility, the Town, or any other governmental entity to remove or alleviate an emergency condition, including the restoration of utility service or the reopening of a public thoroughfare to traffic;
2. Actions by any other person when the Town determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition;
3. Construction activities disturbing less than 200 square feet of land and surface area;
4. Residential landscaping and gardening activities disturbing less 100 square feet of land surface area;
5. Town of Interlaken capital improvement projects, provided that site disturbance control measures are included in the bid specifications and plans for the special improvement project.

### **Section 9.05.030 Application**

Any person or entity desiring a Site Disturbance Permit must first file an application with the Interlaken Town Planning Commission.

A. Application Form. The application shall be submitted on a form provided by the Town. If the applicant proposes to obtain the Permit in conjunction with another development activity requiring Town approval, the application for the Site Disturbance Permit will be included as part of the application package for the other development activity. If the applicant proposes to obtain the Permit independent of any other Town approval, the applicant shall apply for the Permit on a separate form prepared by the Town. Application forms will be available from the Interlaken Town Clerk.

B. Site Disturbance Plan. The applicant shall submit a Site Disturbance Plan with the application. The Site Disturbance Plan (the Plan) shall contain the following information:

1. Site Description. A site description (including a map with spot elevations and contour lines) which includes a description of the nature and location of the construction activity, a description of the intended sequence of major activities which will disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities, and infrastructure installation, etc.), and estimates of the total area of the site that is expected to be disturbed by excavation, grading, or other activities. The site description shall designate and illustrate the limits of disturbance beyond which no disturbance shall occur.

2. Control Description. A description of the proposed control measures that will be implemented during construction activity and/or while the site is not stable. The Plan must clearly describe the times during the construction process that the measures will be implemented for each major activity identified pursuant to subsection (1). The Plan shall also state the name, address and phone number of the person or entity responsible for implementation of each control measure.

3. Control Measures. Control measures shall meet the following goals and criteria:

a. Prevent or Minimize Discharge. The proposed control measures shall be designed to prevent or minimize, to the maximum extent practicable, the discharge of sediment, dust, debris, and other construction-related pollutants from the construction site by storm water runoff into the storm drainage system, as well into the air.

b. Prevent or Minimize Construction Debris. The proposed control measures shall be designed to prevent or minimize, to the maximum extent practicable, the deposit, discharge, tracking by construction vehicles, or dropping of mud, sediment, debris or other potential pollutants onto public streets and rights-of-way.

c. Dumpster. During the performance of work, construction dumpsters or trash containers are required. There will be no storage of these facilities in roadways or Town right-of-way at anytime. At all times the lot contractor will keep the work site clean and free of debris; no stockpiling of debris outside the containers. The dumpster shall be made available for the proper disposal of construction site waste materials, garbage, plaster, drywall, grout, gypsum, and other waste materials. These facilities will be emptied regularly and serviced as needed. Such facilities must be removed when construction is completed and before occupancy is granted, or construction is halted for more than 30 days. The contractor must

dispose of the materials at an official transfer station or recycling facility. None of the materials are to be deposited in the Interlaken Town trash collection dumpsters.

i. Toilet facilities. Show the location of the portable toilet facilities, required to be provided for workers, on the plan, or if there are permanent facilities workers will be allowed to use, indicate such on the plan.

d. Use of BMPs. The proposed control measures shall include Best Management Practices (BMPs) available at the time that the Plan is submitted. BMPs may include, but shall not be limited to, designation of limits of disturbance, temporary silt or sediment fences, sediment traps, gravel construction entrances and wash down pads to reduce or eliminate off-site tracking, straw bale sediment barriers, measures to prevent the blowing of dust or sediment from the site, establishment of temporary grasses and permanent vegetative cover, use of straw mulch as a temporary ground cover, erosion control blankets, temporary interceptor dikes and swales, storm drain inlet protection, check dams, subsurface drains, pipe slope drains, level spreaders, rock outlet protection, reinforced soil retaining systems, and gabions.

e. Stabilize Site. The proposed control measures shall be designed to preserve existing vegetation, where possible. Disturbed portions of the site shall be stabilized. Stabilization practices may include temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of nature vegetation, and other appropriate measures. Use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in disturbed portions of the site, but in no case more than 14 calendar days after the construction activity in that portion of the site has temporarily or permanently ceased, except under the following circumstances:

i. If the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceases is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable; or  
ii. If construction activity on a portion of the site is temporarily ceased, and earth disturbing will resume within 21 days, temporary stabilization measures need not be initiated on that portion of the site.

f. Minimize Risk of Discharge of Other Materials. The proposed control measures shall be employed to minimize the risk of discharge of construction-related pollutants (such as paint, thinners, solvents and other chemicals) from the construction site. Such measures may include implementation of storage practices to minimize exposure of the material to storm water as well as spill prevention and response. Control measures must also meet the criteria set forth in the Interlaken Source Protection Plan to preserve the quality of the Interlaken aquifer.

C. Fee. The applicant for a Site Disturbance Permit shall pay a fee in an amount set by resolution of the Town Council.

D. Application Approval. The Interlaken Planning Commission, Town Planner, or other designee shall approve the application and grant the permit if the application is complete and the Site Disturbance Plan meets the requirements of this ordinance. The Town's designee shall deny the application or approve the application with conditions if he or she determines that the measures proposed in the Plan fail to meet the criteria set forth in this ordinance. Conditions set out by the Town's designee in connection with the approval of a Permit may include, but are not limited to, the establishment of specific measures and controls to prevent



erosion and the discharge of sediment, debris and other construction-related pollutants from the site by wind or storm water, as well as the control of refuse and debris on the site.

E. Term. Unless otherwise revoked or suspended, a Site Disturbance Permit shall be in effect for the full period of the construction activity. The construction activity will not be considered to be completed until the following events occur:

1. Site Plans. For Permits associated with a site plan approval, the date that the Permittee has completed all required landscaping and all outside construction work associated with the site plan.
2. Building Permits. For Permits associated with a building permit application, the date that the property has been revegetated or landscaped in a manner that eliminates erosion and sediment discharge or that brings the property back to its natural state.
3. Other. For Permits issued that are not tied to other approvals from the Town, the date that the Permittee has completed all work associated with the Permit and takes steps required by the Permit to prevent further erosion and runoff from the site. No Site Disturbance Permit which is not tied to other approvals from the Town shall be considered terminated until the Permittee submits a Notice of Termination of Construction Activity Permit (“Notice”) to the Town and the Notice is accepted by the Town. The Town shall accept the Notice if the Permittee has met the requirements of the Permit and this ordinance. The Permittee shall keep and maintain all Permit-required improvements on the site until the Town accepts the Notice.

F. Amendments. In the event that the proposed construction activity for a site to which a Permit pertains is materially altered from that described in an original Plan in a way that may have a significant impact upon the effectiveness of the measures and controls described in the original Plan, the Permittee shall file an amended Site Disturbance Plan which meets the criteria set forth in this ordinance.

#### **Section 9.05.040 Site Disturbance Permit – Proper Operation and Maintenance**

The recipient of a Site Disturbance Permit (the Permittee) shall install the erosion and sediment control and debris control measures required by the approved Site Disturbance Plan before commencing any construction activity on the site to which the Plan applies or at such times indicated in the Plan. The erosion and sediment control measures shall be properly installed and maintained in accordance with the Permit, the manufacturers’ specifications, and good engineering practices. The Permittee shall maintain such measures on the site until the Town accepts the termination of this Permit.

#### **Section 9.05.050 Site Disturbance Permit – Inspection and Entry**

The Permittee shall allow any authorized employees and representatives of the Town, representatives of the State of Utah Division of Water Quality, and representatives of the United States Environmental Protection Agency, to enter the site to which a Permit applies at any time and to inspect the erosion and sediment control measures maintained by the Permittee. The Permittee shall also allow inspection of any records pertaining to the conditions of the Permit.

### **Section 9.05.060 Site Disturbance Permit – Revocation or Suspension**

A. Revocation or Suspension. A Site Disturbance Permit may be revoked or suspended by the Town upon the occurrence of any one of the following events:

1. Failure of a Permittee to comply with the Plan or any condition of the Permit; or
2. Failure of a Permittee to comply with any provision of this Chapter or any other applicable law, ordinance, rule or regulation related to site disturbance; or
3. A determination by the Town that the site disturbance measures implemented by a Permittee pursuant to the Plan are inadequate to prevent or minimize, to the maximum extent practicable, the discharge of sediment, dust, debris or other pollutants from the construction site by storm water or wind.

B. Notice. The Town shall mail a Permittee written notice of noncompliance before revoking or suspending a Permit. The notice shall state the location and nature of the noncompliance and shall also specify what action is required for the Permittee to avoid revocation or suspension of the Permit. The notice shall allow the Permittee a reasonable time to take the necessary corrective action to avoid revocation or suspension of the Permit which time, in the absence of exceptional circumstances, shall not be less than ten nor more than 30 days. The notice shall be mailed or emailed to the address listed for the Permittee in the Application. If the Permittee fails to correct the problems identified in the notice during the time specified in the notice, the Town may suspend or revoke the Permit by mailing or delivering written notice of the suspension or revocation to the Permittee. The Permittee may appeal a suspension or revocation of the Permit pursuant to the appeal procedure set forth in this Chapter.

C. Exceptional Circumstances. For purposes of this Section, exceptional circumstances include, but are not limited to, situations which involve a risk of injury to other property or the environment. The Town may take any steps the Town deems necessary to alleviate any such exceptional circumstances as defined above, and may bill the owner, developer, or contractor responsible for creating the exceptional circumstances for the cost of alleviating said circumstances.

D. Stop Work Order. A stop work order may be issued upon the revocation or suspension of a Permit, upon discovery of work in violation of or not in accordance with a Permit, or upon the discovery of work being conducted without a required Permit. The stop work order may be issued by the Interlaken Town Planning Commission, Town Planner, or other designee. No construction activity may be commenced or continued on any site for which a Permit has been revoked or suspended until the Permit has been reinstated or reissued.

E. Reinstatement. A Site Disturbance Permit may be reinstated or reissued upon compliance with all provisions of this Article and all Permit conditions, or in the case of a suspension for reasons provided in subsection A.3., upon the filing of an amended Site Disturbance Plan which is designed to correct the deficiencies of the original Plan.

### **Section 9.05.070 Site Disturbance Permits – Appeals**

An Applicant for a Site Disturbance Permit or a Permittee of a Site Disturbance Permit may appeal a decision or directive made by the Town or its representatives under this Ordinance. The appeal shall be made to the Appeal Authority pursuant to Title 2, provided however that the party desiring to appeal shall file the appeal within ten days of the decision or directive being appealed, notwithstanding any other time periods specified elsewhere. This appeals Section shall not preclude the Town from prosecuting violations of this ordinance separately under other Town of Interlaken enforcement procedures, either criminal or civil, in which case the Town shall so notify the violator and this appeals Section shall not apply.

### **Section 9.05.080 Prohibited Activities**

The following activities are prohibited and unlawful, and shall be considered a nuisance under Interlaken Town law, regardless of whether or not the violator has a Site Disturbance Permit:

- A. Covering the Right of Way. Covering any portion of the road Right of Way with mud, dirt, debris or material and failing to remove the mud, dirt, debris or material before leaving the site. In no case shall the mud, dirt, debris, or other material be left overnight.
- B. Washing Vehicles and Equipment. Washing any vehicle or equipment in a manner that:
  - 1. leaves concrete, mud, dirt, debris, or other material on any portion of the public right-of-way, or
  - 2. allows concrete, mud, dirt, debris, or other material to enter the storm sewer system.
- C. Vegetative maintenance and noxious weeds. Weed growth shall be kept to 8 inches in height. Noxious weeds are undesirable, and must be eliminated properly per the Wasatch County requirements.
- D. No tracked vehicles, i.e., bulldozers or backhoes with steel tracks, are allowed on the road surface unless protected by some type of pads.

### **Section 9.05.090 Mud, Dirt, Materials, and Debris on Public Roads**

- A. Clean-up Required. Any person or entity that tracks, spills, deposits, discharges or drops any mud, dirt, debris, or other material on a public road or a public right-of-way within the Town must remove the mud, dirt, debris, or other material by the end of the work day on which it was left on the road or right-of-way. Failure to do so shall be a violation of this ordinance and shall also be considered a nuisance that may be enforced and/or abated pursuant to Town ordinance. The requirement to clean mud, dirt, debris, or other material from roads and the right-of-way applies regardless of whether or not the responsible parties are acting pursuant to a Site Disturbance Permit.
- B. Responsible Parties. The following people and entities shall be considered to be responsible parties for the purpose of enforcing this Section:
  - 1. Driver. The driver and the owner of the vehicle leaving the mud, dirt, debris, or

other material; and

2. General Contractor. The general contractor or owner in charge of the job site from which the mud, dirt, debris, or other material came.
3. The property owner.

C. Possible Remedies. The Town may avail itself of any of the following non-exclusive remedies to enforce this Section if the mud, dirt, debris, or other material is not removed as required herein:

1. Road Damage Deposit. The Town may clean (or may hire an independent contractor to clean) the mud, dirt, debris, or other material, and may deduct the cost of the clean-up, plus an administrative charge in an amount set by resolution of the Town Council, from the Road Damage Deposit for the job site from which the mud, dirt, debris, or other material came.
2. Nuisance Abatement. The violation may be treated as a nuisance under Town of Interlaken law and prosecuted accordingly.

### **Section 9.05.100 Violations and Enforcement**

A. The violation of any of the provisions of this Chapter shall be a Class C misdemeanor. Each day that a violation occurs shall constitute a separate offense.

B. Violators of this Chapter are also subject to any penalties that may be imposed by the State of Utah, under authority of the Utah Water Quality Act, of the Utah Code.

C. In addition to any criminal fines and/or penalties which may be assessed for a violation of this Chapter, the Town shall have the right to issue a stop work order or to install and/or maintain appropriate erosion and sediment control measures, or perform clean-up of any debris or removal of materials from Town roads or rights-of-way of any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed as required by this Chapter. The Town shall have the right to have such measures installed, done or maintained by Town personnel or to hire a private contractor to perform such work and the contractor and/or the property owner shall be liable for any and all expenses related to performing such work plus a 25 percent penalty charge. The Town may assess said charges against the bond posted by the contractor and/or property owner.

D. Violators of this Chapter may also be subject to prosecution, fines and penalties from the State of Utah and the United States Environmental Protection Agency.

### **Section 9.05.110 Compliance with Federal and State Law**

Nothing contained in this Chapter is intended to relieve any person or entity from any obligation to comply with applicable federal and state laws and regulations pertaining to clean water and/or storm water runoff.

## **CHAPTER 9.06 FINAL COMPLETION DEPOSIT**

### **Section 9.06.010 Establishment of Final Completion Deposit**

### **Section 9.06.020 Amount**

### **Section 9.06.030 When Required**

### **Section 9.06.040 Where Deposited**

### **Section 9.06.050 Procedure for Refund of Deposit**

### **Section 9.06.060 Deficiencies at the Time of Final Inspection**

### **Section 9.06.070 Weather-Related Deficiencies**

### **Section 9.06.080 Forfeiture of Final Completion Deposit**

### **Section 9.06.090 Certificate of Non-Compliance**

### **Section 9.06.010 Establishment of Final Completion Deposit**

### **Section 9.06.010 Establishment of Final Completion Deposit**

The establishment of the final completion deposit requirement is to assure the proper completion of dwellings, landscaping or site stabilization, and appurtenant supporting improvements so that premises are safe, and for mediation costs associated with securing a site that has been abandoned by the contractor or left in an unsafe condition by the contractor.

### **Section 9.06.020 Amount**

The Final Completion Deposit shall be an amount set by the Town council from time to time.

### **Section 9.06.030 When Required**

As part of the application process, the Interlaken Town Planning Commission is authorized and directed to require from the applicant a Final Completion Deposit. The deposit shall be in addition to all other fees which may be required prior to issuance of a building permit. The Planning Commission shall approve the application until said deposit has been deposited with the Town.

### **Section 9.06.040 Where Deposited**

The completion deposit shall be made with the Town Treasurer and held in a account established by the Treasurer for that purpose.

### **Section 9.06.050 Procedure for Refund of Deposit**

The deposit amount shall be returned to the payee upon request by the payee and upon receipt by the Treasurer from the Planning Commission of notice stating (1) that the dwelling has been completed, (2) that all required inspections of the construction have been made, (3) that the building permit has been closed by the Town Planner, and (4) that the Site Disturbance Permit has been closed out satisfactorily per this Chapter of this Code, and that

there exist no unsafe conditions associated with the site. If a dwelling has been occupied prior to the approval for occupancy, the full deposit amount shall be forfeited to the General Fund. In addition, any deposit amounts still on deposit with the Town and not claimed by the payee eight (8) years after occupancy of the structure shall be forfeited to the General Fund.

#### **Section 9.06.060 Deficiencies at the Time of Final Inspection**

If at the time of making what was to have been the final inspection, any deficiency exists of the building codes or other Town ordinances, the Planning Commission or Town Planner shall provide a notice in substantially the following form: “The following deficiencies found at the time of the final inspection on (date) must be corrected by 90 days after final inspection: If such corrections are not made, and an inspection scheduled and passed, so as to come into compliance with the building code within said 90 Day, one third of the completion deposit will be forfeited to Town of Interlaken. If such corrections are not made, and an inspection scheduled and passed, so as to come into compliance with the building code within 120 days after final inspection, two-thirds of the completion deposit will be forfeited to Town of Interlaken. If such corrections are not made, and an inspection scheduled and passed, so as to come into compliance with the building code within 150 days after final inspection, all of the completion deposit will be forfeited to Town of Interlaken. Forfeiture of all or part of the deposit will not excuse compliance with all Town ordinances and requirements.”

#### **Section 9.06.070 Weather-Related Deficiencies**

If it is found that deficiencies cannot be completed within the 90 days because of winter weather, an extension may be granted for those items at the building official’s discretion. The notice in 9.06.060, above shall then also include an additional section stating, “The following deficiencies must be completed and pass a final inspection within \_\_\_ additional days (date specific stated)”, with the items then enumerated.

#### **Section 9.06.080 Forfeiture of Final Completion Deposit**

If the applicant does not comply with the notice provided in this Chapter, or if the site is abandoned by the contractor or left in an unsafe condition, the Planning Commission shall notify the Town Treasurer of such noncompliance upon expiration of the permit. Upon such notification, the Treasurer shall declare the deposit forfeited and pay the amount thereof to the General Fund.

#### **Section 9.06.090 Certificate of Non-Compliance**

After the deposit has been declared forfeited, the Planning Commission shall record a Certificate of Non-Compliance against the property with the Wasatch County Recorder’s Office. Said Certificate shall remain on the property until correction items have been inspected and approved. After approval, a Certificate of Completion and Occupancy shall be recorded.

## **CHAPTER 9.07 REGULATION OF CONSTRUCTION ACTIVITIES**

### **Section 9.07.010 Normal Hours and Days of Work or Construction Activity**

### **Section 9.07.020 Extended Hours with Special Permit**

### **Section 9.07.030 Special Event Regulations**

### **Section 9.07.040 Waste/Debris Disposal**

### **Section 9.07.050 Toilet Facilities for Construction Workers**

### **Section 9.07.010 Normal Hours and Days of Work of Construction Activity**

In all zoning districts throughout the Town, construction work shall be allowed between the hours of 7 a.m. and 8 p.m. Monday through Saturday. Construction shall be allowed in all zoning districts throughout the Town between the hours of 9 a.m. and 6 p.m. on Sundays. When work is prohibited, no exterior construction, excavation or delivery of supplies and concrete are allowed. Interior work, however, may be allowed Monday through Sunday, with no limitation hours for the following types of construction:

- A. Interior work on individual single-family home construction or addition projects not involving materials or supply deliveries.
- B. Non-mechanized exterior painting
- C. Non-mechanized landscaping
- D. Survey work not involving grading or use of power equipment to cut vegetation.

### **Section 9.07.020 Extended Hours with Special Permit**

The Mayor may authorize extended hours for construction operations for emergencies only. In such cases, the Mayor shall issue a special permit identifying the extended hours. The contractor shall display the special permit on site.

### **Section 9.07.030 Special Event Regulations**

The Mayor may, at his or her discretion, restrict construction activity, including governmental or special improvement agencies, in order to assure the public safety during special events and projects within the Town

### **Section 9.07.040 Waste/Debris Disposal**

During the performance of work, construction dumpsters or trash containers are required. There will be no storage of these facilities in roadways or Town right-of-way at anytime. At all times the lot contractor will keep the work site clean and free of debris; no stockpiling of debris outside any container. The dumpster shall be made available for the proper disposal of construction site waste materials, garbage, plaster, drywall, grout, gypsum, and other waste materials. These facilities will be emptied regularly and serviced as needed. Such facilities

must be removed when construction is completed and before occupancy is granted, or construction is halted for more than 30 days.

### **Section 9.07.050 Toilet Facilities for Construction Workers**

Toilet facilities shall be provided for construction workers whenever any building, remodeling, renovating, or site disturbance is commenced within the Town of Interlaken limits. Such facilities shall be maintained in a sanitary condition. Construction worker toilet facilities of the non-sewer type shall conform to American National Standards Institute A4.3. These facilities must not be located in the right of way.

## **CHAPTER 9.08 MAXIMUM HEIGHT PROVISIONS FOR ALL BUILDINGS**

### **Section 9.08.010 Procedures for Buildings With Regard to Maximum Height**

#### **Section 9.08.020 Definitions**

### **Section 9.08.010 Procedures for Buildings With Regard to Maximum Height**

Maximum Building Height must be clearly shown and presented (as a profile drawing detail, at minimum) on the plan drawing submitted for the building permit, as either:

A. The measured vertical distance (in feet) from the natural grade to the highest point of the roof, or roof element, or building structure above (for properties with an average natural grade of less than 25 percent).

or

B. The measured vertical distance (in feet) from the lowest flooring level which has an exterior entrance, or a partially or fully exposed wall on the downhill side of the dwelling, and then as measured from that flooring level to the highest point of the roof, or roof element, or building structure above (for properties with an average natural grade of 25 percent or greater or properties proposing building construction directly on top of any portion of land with a slope of 25 percent or greater).

#### **Section 9.08.020 Definitions**

A. Building Features Height Analysis. The building plans for a proposed structure that show the vertical elevation expressed in feet of the following points on each building relative to the Bench Mark used to develop the topographic map on the Elevation Certificate:

1. The top of the foundation walls at all points
2. The elevation of each floor of the proposed building
3. The elevation of the roof and any and all proposed appurtenances to the roof.

B. Building Height. Depending on the slope of the property, Building Height is defined as either the vertical distance from “Natural Grade” to the building roof, roof element, or building structure above, or the vertical distance from the lowest floor plane which has an exterior entrance or a partially or fully exposed wall on the downhill side of the dwelling, to the highest point of the roof or roof element or building structure above. See Title 11, Section 11.06.070



for specific maximum building height requirements and Section 9.08.010 on how to calculate (measure) maximum building height.

C. Grade. The ground surface elevation of a site or parcel of land.

1. Grade, Existing. The Grade of a Property prior to any proposed construction activity, including the effects of any previous man-made site disturbance.
2. Grade, Natural. The Elevation of the existing surface of the land prior to commencement of construction of any proposed improvements or any previous man-made site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference elevations and slopes at points where the prior disturbance appears to meet the undisturbed portions of the subject property, or the undisturbed grade of adjacent properties. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land, or redirecting the flow of run-off water. This term is a base point to be used to establish the basis for compliance with Town height limitations in stated circumstances.
3. Grade, Final. The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity

D. Grading. Any earthwork or activity that alters the Natural or Existing Grade, including, but not limited to, excavation, filling, or embanking.

E. Slope, Percent. The level of inclination of land from the horizontal plane, determined by dividing the horizontal run or distance of the land by the vertical rise of distance of the same land and converting the resulting number value into a percentage value. For example, if vertical rise is 2 feet and horizontal run is 10 feet, then percent slope equals 2 divided by 10, multiplied by 100 percent, or 20 percent.

F. Bench Mark. The location and elevation in feet from mean sea level of the point from which the topographic map for the Elevation Certificate is started. That point is also labeled as "0" and all other points on the map are labeled relative to that in whole, or decimal fraction numbers per foot of change in elevation.

G. Licensed Land Surveyor. A professional that is licensed to practice land surveying in the State of Utah.

H. Licensed Civil Engineer. A professional that is licensed to practice civil engineering in the State of Utah.

**Chapter 9.09 AUTOMATIC FIRE SPRINKLER SYSTEMS UNDER  
INTERNATIONAL RESIDENTIAL CODE**

**Section 9.09.010 Scope of Chapter**

**Section 9.09.020 Automatic Fire Sprinkler Systems Are Required**

**Section 9.09.010 Scope of Chapter**

This chapter pertaining to automatic fire sprinkler systems applies to the building of all structures governed by the International Residential Code.

**Section 9.10.020 Automatic Fire Sprinkler Systems Are Required**

Automatic fire sprinkler systems are required in structures governed by, and built according to, the International Residential Code.