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1 Building Permit Fee Prohibition Amendments

2025 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Thomas W. Peterson

Senate Sponsor: David P. Hinkins

G	eneral Description:
	This bill amends provisions related to permitting fees.
	Highlighted Provisions:
	This bill:
	 prevents a municipality or a county from imposing an inspection fee on a water
	conservancy district that hires a qualified inspector to conduct inspections on new
	infrastructure; and
	provides a repeal date for the prohibition.
	Money Appropriated in this Bill:
	None
	Other Special Clauses:
	None
	Utah Code Sections Affected:
	AMENDS:
	10-9a-510, as last amended by Laws of Utah 2021, Chapter 35
	17-27a-509, as last amended by Laws of Utah 2021, Chapter 35
	63I-2-210, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5
	63I-2-217, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

10-9a-510. Limit on fees -- Requirement to itemize fees -- Appeal of fee --

(1) A municipality may not impose or collect a fee for reviewing or approving the plans for

a commercial or residential building that exceeds the lesser of:

Provider of culinary or secondary water.

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29	(a) the actual cost of performing the plan review; and
30	(b) 65% of the amount the municipality charges for a building permit fee for that
31	building.
32	(2) Subject to Subsection (1), a municipality may impose and collect only a nominal fee for
33	reviewing and approving identical floor plans.
34	(3) A municipality may not impose or collect a hookup fee that exceeds the reasonable cost
35	of installing and inspecting the pipe, line, meter, and appurtenance to connect to the
36	municipal water, sewer, storm water, power, or other utility system.
37	(4) A municipality may not impose or collect:
38	(a) a land use application fee that exceeds the reasonable cost of processing the
39	application or issuing the permit;[-or]
40	(b) an inspection, regulation, or review fee that exceeds the reasonable cost of
41	performing the inspection, regulation, or review[-] ; or
42	(c) an inspection fee on a qualified water conservancy district, as defined in Section
43	17B-2a-1010, that hires a qualified inspector to conduct inspections on new
44	infrastructure.
45	(5)(a) If requested by an applicant who is charged a fee or an owner of residential
46	property upon which a fee is imposed, the municipality shall provide an itemized fee
47	statement that shows the calculation method for each fee.
48	(b) If an applicant who is charged a fee or an owner of residential property upon which a
49	fee is imposed submits a request for an itemized fee statement no later than 30 days
50	after the day on which the applicant or owner pays the fee, the municipality shall no
51	later than 10 days after the day on which the request is received provide or commit to
52	provide within a specific time:
53	(i) for each fee, any studies, reports, or methods relied upon by the municipality to
54	create the calculation method described in Subsection (5)(a);
55	(ii) an accounting of each fee paid;
56	(iii) how each fee will be distributed; and
57	(iv) information on filing a fee appeal through the process described in Subsection
58	(5)(c).
59	(c) A municipality shall establish a fee appeal process subject to an appeal authority
60	described in Part 7, Appeal Authority and Variances, and district court review in
61	accordance with Part 8, District Court Review, to determine whether a fee reflects
62	only the reasonable estimated cost of:

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63	(i) regulation;
64	(ii) processing an application;
65	(iii) issuing a permit; or
66	(iv) delivering the service for which the applicant or owner paid the fee.
67	(6) A municipality may not impose on or collect from a public agency any fee associated
68	with the public agency's development of its land other than:
69	(a) subject to Subsection (4), a fee for a development service that the public agency does
70	not itself provide;
71	(b) subject to Subsection (3), a hookup fee; and
72	(c) an impact fee for a public facility listed in Subsection 11-36a-102(17)(a), (b), (c), (d)
73	(e), or (g), subject to any applicable credit under Subsection 11-36a-402(2).
74	(7) A provider of culinary or secondary water that commits to provide a water service
75	required by a land use application process is subject to the following as if it were a
76	municipality:
77	(a) Subsections (5) and (6);
78	(b) Section 10-9a-508; and
79	(c) Section 10-9a-509.5.
80	Section 2. Section 17-27a-509 is amended to read:
81	17-27a-509 . Limit on fees Requirement to itemize fees Appeal of fee
82	Provider of culinary or secondary water.
83	(1) A county may not impose or collect a fee for reviewing or approving the plans for a
84	commercial or residential building that exceeds the lesser of:
85	(a) the actual cost of performing the plan review; and
86	(b) 65% of the amount the county charges for a building permit fee for that building.
87	(2) Subject to Subsection (1), a county may impose and collect only a nominal fee for
88	reviewing and approving identical floor plans.
89	(3) A county may not impose or collect a hookup fee that exceeds the reasonable cost of
90	installing and inspecting the pipe, line, meter, or appurtenance to connect to the county
91	water, sewer, storm water, power, or other utility system.
92	(4) A county may not impose or collect:
93	(a) a land use application fee that exceeds the reasonable cost of processing the
94	application or issuing the permit;[-or]
95	(b) an inspection, regulation, or review fee that exceeds the reasonable cost of
96	performing the inspection, regulation, or review[-]; or

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97	(c) an inspection fee on a qualified water conservancy district, as defined in Section
98	17B-2a-1010, that hires a qualified inspector to conduct inspections on new
99	infrastructure.
100	(5)(a) If requested by an applicant who is charged a fee or an owner of residential
101	property upon which a fee is imposed, the county shall provide an itemized fee
102	statement that shows the calculation method for each fee.
103	(b) If an applicant who is charged a fee or an owner of residential property upon which a
104	fee is imposed submits a request for an itemized fee statement no later than 30 days
105	after the day on which the applicant or owner pays the fee, the county shall no later
106	than 10 days after the day on which the request is received provide or commit to
107	provide within a specific time:
108	(i) for each fee, any studies, reports, or methods relied upon by the county to create
109	the calculation method described in Subsection (5)(a);
110	(ii) an accounting of each fee paid;
111	(iii) how each fee will be distributed; and
112	(iv) information on filing a fee appeal through the process described in Subsection
113	(5)(c).
114	(c) A county shall establish a fee appeal process subject to an appeal authority described
115	in Part 7, Appeal Authority and Variances, and district court review in accordance
116	with Part 8, District Court Review, to determine whether a fee reflects only the
117	reasonable estimated cost of:
118	(i) regulation;
119	(ii) processing an application;
120	(iii) issuing a permit; or
121	(iv) delivering the service for which the applicant or owner paid the fee.
122	(6) A county may not impose on or collect from a public agency any fee associated with the
123	public agency's development of its land other than:
124	(a) subject to Subsection (4), a fee for a development service that the public agency does
125	not itself provide;
126	(b) subject to Subsection (3), a hookup fee; and
127	(c) an impact fee for a public facility listed in Subsection 11-36a-102(17)(a), (b), (c), (d),
128	(e), or (g), subject to any applicable credit under Subsection 11-36a-402(2).
129	(7) A provider of culinary or secondary water that commits to provide a water service
130	required by a land use application process is subject to the following as if it were a

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131	county:
132	(a) Subsections (5) and (6);
133	(b) Section 17-27a-507; and
134	(c) Section 17-27a-509.5.
135	Section 3. Section 63I-2-210 is amended to read:
136	63I-2-210 . Repeal dates: Title 10.
137	(1) Subsection 10-2a-205(2)(b)(iii), regarding a feasibility study for the proposed
138	incorporation of a community council area, is repealed July 1, 2028.
139	(2) Section 10-2a-205.5, Additional feasibility consultant considerations for proposed
140	incorporation of community council area Additional feasibility study requirements, is
141	repealed July 1, 2028.
142	(3) Subsection 10-9a-510(4)(c) is repealed July 1, 2026.
143	[(3)] (4) Section 10-9a-604.9, Effective dates of Sections 10-9a-604.1 and 10-9a-604.2, is
144	repealed January 1, 2025.
145	Section 4. Section 63I-2-217 is amended to read:
146	63I-2-217 . Repeal dates: Titles 17 through 17D.
147	(1) Subsection 17-22-2(1)(o), regarding a sheriff's contractual duties under an interlocal
148	agreement for law enforcement services, is repealed July 1, 2025.
149	(2) Subsection 17-22-2(3), regarding the role of a sheriff in a police interlocal entity or
150	police local district, is repealed July 1, 2025.
151	(3) Section 17-27a-604.9, Effective dates of Sections 17-27a-604.1 and 17-27a-604.2, is
152	repealed January 1, 2025.
153	(4) Subsection 17-27a-509(4)(c) is repealed July 1, 2026.
154	[(4)] (5) Subsection 17-52a-103(3), regarding the process for changing a form of county
155	government[-], is repealed January 1, 2028.
156	Section 5. Effective Date.

This bill takes effect on May 7, 2025.

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