

RECOMMENDATIONS FOR LEGISLATION
RESULTING FROM THE AUGUST 23, 1990 MEETING

of the

UTAH EARTHQUAKE TASK FORCE COMMITTEE ON
EXISTING AND FUTURE DEVELOPMENT AND RESEARCH

M. Lee Allison, Chairman

FUTURE DEVELOPMENT

Topic 1. Implementation of building codes for private and public (non-school) buildings.

It was agreed that legislation should require that cities, counties, and the state perform plan checks and that they be performed by qualified professionals.

Concerns/comments:

- Larry Reaveley has a copy of a bill introduced in the past which required those entities charging for plan checks to actually perform them, and this could be used as a model for new legislation.
- It was noted that plan checks cost from 0.1-0.2% of the building cost, and this should be considered as part of the building cost. No state money needs to be appropriated.

Topic 2. Implementation of building codes for school buildings

Legislation very similar to that for Topic 1 above should be prepared so plan checks by independent engineers are required for school buildings.

Concerns/comments:

- The concerns of the school districts need to be solicited on this issue.
- There is some concern regarding the number of new building and remodeling projects each year that would require plan checking so that costs could be calculated.

Topic 3. Geologic hazards ordinances and real estate disclosure

Both were considered important issues for which there may be some implementation/enforcement/liability questions yet unanswered. Both may require an educational period prior to introduction of comprehensive legislation. It was decided that as a first step the two could be combined in legislation requiring cities and counties to pass "disclosure" ordinances which would at a minimum make hazards information available on request to all buyers and sellers of new property.

Concerns/comments:

- Although the Utah Code does not require local government master plans, there is precedent for requiring ordinances.
- The state needs to set minimum requirements for ordinances and include them in the legislation.
- There will be concerns from local governments regarding liability issues.
- Real estate agents are only involved in about half of the property sales, so sellers rather than agents need to be responsible under any disclosure legislation.
- Ordinances/disclosure would address all geologic hazards, not just earthquake hazards.

Topic 4. Geologic hazards site investigations for critical facilities

It was agreed that geologic hazards site investigations should be performed for "critical" facilities (using UBC definitions of the facilities covered), whether private or public, but that a mechanism for implementation and enforcement is not apparent.

Concerns/comments:

- Geotechnical studies are performed (although not required) for most critical facilities, and perhaps geologic reports could be a part of that process.
- The UGMS is presently mandated to perform these investigations free-of-charge for government entities, and this could be perceived as competing with the private sector.
- Can the UGMS under present staffing do this in a timely manner, given real-world construction practices and other UGMS priorities?
- Perhaps a more appropriate role is for the UGMS to just review reports.
- If any part of the process costs money, local governments and school districts will oppose it unless the state appropriates funds.