



28 [11-65-102](#), Utah Code Annotated 1953  
 29 [11-65-201](#), Utah Code Annotated 1953  
 30 [11-65-202](#), Utah Code Annotated 1953



32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **11-65-101** is enacted to read:

34 **CHAPTER 65. LOCAL PERMITTING ACT**

35 **Part 1. General Provisions**

36 **11-65-101. Title.**

37 This chapter is known as the "Local Permitting Act."

38 Section 2. Section **11-65-102** is enacted to read:

39 **11-65-102. Definitions.**

40 As used in this section:

41 (1) "Applicant" means a person who submits an application for a local permit to a local  
42 entity.

43 (2) "Local entity" means the same as that term is defined in Section [11-38-12](#).

44 (3) (a) "Local permit" means a permit that a local entity requires to allow a person to  
45 engage in an activity within the local entity's jurisdiction.

46 (b) "Local permit" does not include:

47 (i) a building permit; or

48 (ii) a land use permit issued under:

49 (A) Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act; or

50 (B) Title 17, Chapter 27a, County Land Use, Development, and Management Act.

51 Section 3. Section **11-65-201** is enacted to read:

52 **Part 2. Local Permitting Requirements**

53 **11-65-201. Content of local permit application -- Local permitting process.**

54 (1) (a) A local entity that requires a local permit shall include in the local permit  
55 application the criteria that the local entity uses to determine whether to grant the local permit  
56 to an applicant.

57 (b) The criteria described in Subsection (1)(a) shall be:

58 (i) in writing; and

- 59           (ii) stated in clear and unambiguous language.
- 60           (2) Subject to Subsections (3) and (4), within 30 days after the day on which an
- 61 applicant submits a local permit application to a local entity, the local entity shall:
- 62           (a) make a final determination on a local permit application; and
- 63           (b) notify the applicant of the final determination.
- 64           (3) If a local permit requires the approval of a state or federal agency:
- 65           (a) Subsection (2) does not apply; and
- 66           (b) within 60 days after the day on which an applicant submits a local permit
- 67 application to a local entity, the local entity shall:
- 68           (i) make a final determination on the local permit application; and
- 69           (ii) notify the applicant of the final determination.
- 70           (4) (a) A local entity may extend a deadline described in Subsection (2) or (3) if:
- 71           (i) before the day of the deadline, the local entity provides written notice to the
- 72 applicant that an extension of time is needed, including:
- 73           (A) the reasons for needing the extension; and
- 74           (B) if the local entity needs additional information from the applicant, a description of
- 75 the additional information; or
- 76           (ii) the applicant requests an extension in writing.
- 77           (b) A local entity that provides written notice of an extension under Subsection
- 78 (4)(a)(i) shall make a final determination on the local permit application and notify the
- 79 applicant regarding the final determination:
- 80           (i) within 30 days after the day on which the local entity provides written notice of the
- 81 extension; or
- 82           (ii) if the local entity requests additional information under Subsection (4)(a)(i)(B),
- 83 within 30 days after the day on which the applicant provides the additional information.
- 84           (5) If a local entity fails to make a final determination on a local permit application in
- 85 accordance with Subsections (2) through (4), the local permit application is deemed approved
- 86 unless:
- 87           (a) the local permit application submitted by the applicant is incomplete or otherwise
- 88 deficient;
- 89           (b) the local entity provides written notice of the deficiency to the applicant before the

90 day of the deadline; and

91 (c) the applicant fails to correct the deficiency within 30 days after the day on which  
92 the local entity provides written notice of the deficiency.

93 (6) If a provision of this section conflicts with another provision of code, the other  
94 provision of code controls.

95 Section 4. Section **11-65-202** is enacted to read:

96 **11-65-202. Appeals.**

97 (1) If a local entity denies an application for a local permit in accordance with Section  
98 10-20-201, the local entity shall:

99 (a) notify the applicant in writing of the reasons for the denial; and

100 (b) give the applicant an opportunity to challenge the denial through an administrative  
101 appeal process established by the local entity.

102 (2) The administrative appeal process described in Subsection (1)(b) shall substantially  
103 comply with the provisions of Title 63G, Chapter 4, Administrative Procedures Act.

104 (3) An applicant who challenges the denial of a local permit through the administrative  
105 appeal process described in Subsection (1)(b) may bring an action in a court of competent  
106 jurisdiction for de novo review of the local entity's final decision.