



ARIZONA HOUSE OF REPRESENTATIVES

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Senate: FICO DP 5-2-0-0 | 3rd Read 20-10-0-0

House: GOV DP 7-2-0-0

SB 1665: municipal development; permits; review

Sponsor: Senator Gowan, LD 19

Caucus & COW

Overview

Prescribes requirements for the review of an application for a single-family residential building permit.

History

Each new municipal ordinance or code that requires a license must have in place an overall time frame during which the municipality must either grant or deny each type of license that it issues. The overall time frame for each type of license must separately state the administrative completeness review time frame and the substantive review time frame and must be posted on the municipality's website or the website of an association of cities and towns if the municipality does not have a website ([A.R.S. § 9-835](#)).

Provisions

1. Authorizes a required review of an application for a single-family residential building permit to be performed by a qualified third party selected by the applicant if a municipality does not approve, conditionally approve or respond with required revisions to an application within 15 working days after submission. (Sec. 1)
2. Prohibits the qualified third party selected by the applicant from being the applicant, a person whose work is the subject of the application or a person with a financial interest in the work. (Sec. 1)
3. Allows a qualified third party selected by the applicant to be any of the following:
 - a) a person employed by a third-party vendor identified on a list of approved vendors by the municipality if the list has more than one vendor;
 - b) a person employed by another municipality to review residential building permit applications;
 - c) a registered engineer or architect; or
 - d) a person who is certified by an international council on model codes and standards for building safety. (Sec. 1)
4. Permits a required inspection to be performed by a qualified third party selected by the applicant if a municipality does not conduct a required inspection as a condition of obtaining a certificate of occupancy for a single-family residential dwelling unit within two working days after a request. (Sec. 1)
5. Prohibits the qualified third party selected by the applicant from being the applicant or a person whose work is the subject of the application. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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6. Authorizes a qualified third party selected by the applicant to perform the inspection to be any of the following:
 - a) a person who is certified to inspect buildings by an international council on model codes and standards for building safety;
 - b) a person employed by the municipality as a building inspector;
 - c) a person employed by another municipality as a building inspector; or
 - d) a registered engineer or architect. (Sec. 1)
7. Directs a third party who reviews a single-family residential building permit application or performs a required inspection to obtain a single-family residential dwelling unit certificate of occupancy to:
 - a) review the application or conduct the inspection and take all other related actions in accordance with requirements adopted by the municipality where the application was submitted; and
 - b) provide notice to the municipality of the results of the review or inspection. (Sec. 1)
8. Allows a municipality to prescribe a reasonable format for the notice required for the results of the review or inspection. (Sec. 1)
9. Prohibits a municipality from requesting or requiring an applicant to waive a deadline or other procedure. (Sec. 1)
10. Authorizes a person to appeal to the governing body of a municipality any of the following:
 - a) a decision by the municipality to approve, conditionally approve or deny a single-family residential building permit application;
 - b) a decision by a qualified third party to review a single-family residential building permit application;
 - c) the results of an inspection conducted by the municipality; or
 - d) the results of an inspection conducted by a qualified third party. (Sec. 1)
11. Instructs an appeal to be filed in the manner required by the municipality within 15 days after the date the decision being appealed was made. (Sec. 1)
12. Establishes that the application that is the subject of the appeal is deemed approved or the inspection that is the subject of the appeal is waived if the governing body hearing the appeal does not affirm the decision being appealed within 60 days of filing. (Sec. 1)
13. Specifies that a municipality has immunity when they issue a permit, approval or certificate of occupancy after a third-party plan review or inspection. (Sec. 1)
14. Directs municipalities, when establishing time frames, to additionally consider the time frames prescribed in this legislation. (Sec. 2)
15. Prescribes that a municipality must, within 10 working days after a request by an applicant, meet or discuss with the applicant the request for corrections and provide sufficient information and instruction to allow the applicant to provide the requested corrections. (Sec. 2)
16. Prohibits a municipality, except for an application submitted for a change in zoning, from denying a license application that is necessary for land development or building construction unless the municipality considers the application withdrawn. (Sec. 2)
17. Requires a municipality that makes more than one comprehensive written or electronic request for corrections and one supplemental request or that does not conditionally grant

a license, to pay any monetary damages resulting from the delay in addition to statutory requirements. (Sec. 2)

18. States that a municipality may require evidence of monetary damages and the payment for monetary damages must be made within 30 working days after the applicant provides the required evidence. (Sec. 2)
19. Removes the exemption for a license that is necessary for the construction or development of a residential lot from statute relating to failure to comply with licensing time frames. (Sec. 2)
20. Defines *application*. (Sec. 1)
21. Makes technical and conforming changes. (Sec. 2)