**R698. Public Safety, Administration.**

**R698-14. Security Improvement Certification.**

**R698-14-1. Purpose.**

This rule establishes the procedure for an individual to apply to the department for a protection certificate.

**R698-14-2. Authority.**

This rule is authorized by Section 53-30-201.

**R698-14-3. Definitions.**

(1) Terms used in this rule are defined in Sections 53-1-102 and 53-30-101.

(2) In addition, "immediate family member" means an applicant's spouse, child, parent, or grandparent who resides with the applicant.

**R698-14-4. Application Process.**

In addition to the information required in Subsection 53-30-201(1), the application for certification shall include:

(1) engineering certification of the proposed security improvement from an individual licensed under Subsection 58-22-302(2);

(2) specific information supporting the credible threat, including:

(a) reports of a Utah law enforcement agency documenting the threat to the applicant or the applicant's immediate family member; or

(b) reports from a Utah law enforcement agency documenting physical harm;

(3) full names and dates of birth for each individual residing on the property;

(4) fingerprint cards of the applicant and each adult residing on the property, including consent for the department to conduct a criminal background investigation;

(5) descriptions of other security measures implemented;

(6) if other security measures have not been implemented, a statement describing why other security measures have not been implemented, or are inadequate or not effective;

(7) the name and contact information of the municipal or building official with jurisdiction of the property;

(8) records of prior building permit applications including any reasons for denial from the building official;

(9) copies of county or land use regulations which prohibit the approval of the building permit;

(10) photos of existing structures taken from property line, and 500 feet from property documenting each side of existing structures;

(11) renderings of proposed visual changes to existing structures;

(12) a statement acknowledging and accepting that the land use authority may require any additions, alteration or improvement made under the protection certificate be removed before sale or transfer of the property; and

(13) records of ownership and financial information demonstrating compliance with Title 63L, Chapter 13, Restrictions on Foreign Acquisitions of Land Act.

**R698-14-5. Review of Application.**

(1) The certifying officer shall review any information available and shall establish that:

(a) the threat or harm is verified and has been reported to law enforcement agency with jurisdiction of the property;

(b) the threats are current and ongoing;

(c) other security measures have been implemented or improved;

(d) the applicant and other residents have had a fingerprint-based background check are not involved in illegal activities; and

(e) the improvements are not related to an illegal purpose, plan, or scheme.

(2) The certifying officer may discuss defensibility of the proposed improvement with the fire authority having jurisdiction, and the local law enforcement entity.

(a) If the proposed improvements would endanger the occupants due to lack of egress in a fire, the certification may be denied until appropriate fire protection or egress is established in the proposed plans.

(b) The certifying officer may discuss with the applicant the potential that the improvement may limit law enforcement's ability to respond to incidents.

**R698-14-6. Consultation with Building Authority.**

The certifying officer shall confidentially consult with the building authority named under Subsection R698-14-4(8) regarding potential mitigation of any material adverse effects a proposed security improvement would cause if the proposed security improvement would be visible to an individual standing within 500 feet of the protected property.

**R698-14-7. Protection Certificate.**

The protection certificate shall clearly state the certificate expires two years after the day the certificate was issued in accordance with Subsection 53-30-301(1).

**KEY: law enforcement, security improvements, protection certificate**

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**Authorizing, and Implemented or Interpreted Law: 53-30-201**