

**ORDINANCE NO. xxxxxx**

**Amending Chapter 18 and 64, Code of Ordinances, by repealing Section 18-20, Fees, and Section 64-4, Construction or repair by property owner of facilities in adjacent right-of-way, and enacting in lieu thereof new Sections of like number and subject matter and increasing certain fees contained therein.**

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 18-20, Fees, and enacting a new Section 18-20, to read as follows:

**Sec. 18-20. Fees.**

(a) *Generally.* Fees relating to work regulated by this chapter shall be assessed in accordance with the provisions of this section.

(b) *Permit fees.*

(1) *Valuation of construction.* The determination of the value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued. Separate values or valuations shall be computed and separate permits shall be obtained and separate plan review fees shall be paid for each building or structure included in an application for permits. All fees shall be rounded off to the next whole dollar amount. Fees may be waived at the discretion of the building official during times of declared emergency.

(2) *One- and two-family detached dwelling building, mechanical, plumbing, electrical, elevator and fire protection permit fees.* One- and two-family detached dwelling building, mechanical, plumbing, electrical, elevator and fire protection permit fees are as follows:

Total Valuation	Fee
\$0.00--\$1,000.00 .....	\$ 41.00
\$1,001.00--\$2,000.00 .....	46.00
\$2,001.00--\$100,000.00:	

For the first \$2,000.00 ..... 46.00

Plus, for each additional \$1,000.00 or fraction thereof,  
to and including \$100,000.00 ..... 3.37

\$100,001.00 and over:

For the first \$100,000.00 ..... 376.00

Plus, for each additional \$1,000.00 or fraction thereof ..... 1.12

(3) *Building, mechanical, plumbing, electrical, elevator and fire protection permit fees for other than one- and two-family detached dwellings.* Building, mechanical, plumbing, electrical, elevator and fire protection permit fees for other than one- and two-family detached dwellings are as follows:

Total Valuation	Fee
\$0.00--\$500.00 .....	\$ 41.00
\$501.00--\$2,000.00 .....	74.00

\$2,001.00--\$200,000.00:

For the first \$2,000.00 ..... 74.00

Plus, for each additional \$1,000.00 or fraction thereof,  
to and including \$200,000.00 ..... 10.67

\$200,001.00--\$1,000,000.00:

For the first \$200,000 ..... 2,187.00

Plus, for each additional \$1,000.00 or fraction thereof,  
to and including \$1,000,000.00 ..... 7.08

\$1,000,001.00 and over:

For the first \$1,000,000.00 ..... 7,851.00

Plus, for each additional \$1,000.00 or fraction thereof ..... 3.04

(4) *Demolition permit fees.* Demolition permit fees are as follows:

- a. One- and two-family dwellings and detached accessory buildings per building ..... \$ 68.00
- b. All other structures ..... 169.00
- c. *Pre-demolition inspection fee.* A pre-demolition inspection fee shall be paid to the building official prior to a pre-demolition inspection being performed. The pre-demolition inspection fee shall not apply towards the demolition permit fee and shall be assessed as follows:
  - One and two family detached dwellings per building: .....28.00
  - All other buildings per building: ..... 81.00

(5) *Sign permit fees.* Sign permit fees are as follows:

Type of Sign	Fee
a. Combination and freestanding signs:	
1. Up to and including 20 square feet.....	\$ 107.00
2. And for each additional 20 square feet or fraction thereof.....	18.18
b. Flat wall signs:	
1. Up to and including 300 square feet.....	107.00
2. And for each additional 300 square feet or fraction thereof.....	18.18
c. Marquees: Each marquee .....	355.00
d. Roof signs:	
1. For surface area not to exceed 300 square feet.....	355.00
2. And for each additional 300 square feet or fraction thereof.....	90.00
e. Temporary signs (displayed not longer than 60 days):	

Each sign ..... 41.00

- f. Outdoor Advertising Signs: Fees shall be calculated as required for freestanding signs. Each face of such signs shall be calculated separately for permit fee calculations.

*Outdoor advertising sign pre-permit inspection fee.* An outdoor advertising sign pre-permit inspection fee shall be paid to the building official prior to an outdoor advertising sign pre-permit inspection being performed. The outdoor advertising sign pre-permit inspection fee shall not apply as part of the sign permit fee.

Each sign ..... 81.00

- (6) *Supplementary permit fees.* The fee for a supplementary permit to cover any additional value not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original permit included the entire value. The minimum supplemental permit fee assessed shall be \$41.00.

- (7) *Partial permit fees.* When a permit for the construction of part of a building, structure, or building service equipment is requested by the applicant, fees shall be determined in accordance with section 18-20(b)(2) and (3), based on the valuation of work to be performed, as separate permit fees and not as supplementary fees. The minimum fee for a partial permit shall be \$63.00.

(c) *Construction document review fees.*

- (1) *Initial construction document review fee.* For other than one- and two-family dwellings, when the total valuation of a proposed building exceeds \$100,000.00 and a construction document is required to be submitted, a construction document review fee shall be paid to the building official at the time of submitting the construction documents for review. Such construction document review fee shall be one-half of the permit fee and shall be a credit toward the total fee when the permit is issued.

- (2) *Resubmittal construction document review fees.* When previously identified deficiencies remain uncorrected on subsequent submittals or when items certified on the Checklist for Building Permit Construction Document Submittal as being provided are omitted, a resubmittal construction document review fee shall be assessed at the time of resubmittal of the discipline. This fee shall be one eighth of the total permit fee for resubmittal deficiencies. The fee for certified checklist omissions shall be \$57.00. Such resubmittal construction document review fee shall

not apply as a credit toward the total fee when the permit is issued. Maximum resubmittal fee shall be as follows:

- a. One- and two-family dwelling construction document .....\$ 23.00
- b. Other than one- and two-family dwelling construction document  
225.00

(3) *Scheduled express review fees.* When scheduled express review is requested by the applicant, a fee of \$23.00 for one- and two-family dwellings and a fee of \$57.00 for all other structures shall be assessed. Such fees shall be in addition to required permit fees. Eligibility for scheduled express review service shall be determined by the building official based on the complexity of the review and availability of staff to perform the review.

(4) *Optional preliminary code review design meetings.* When requested by the applicant, preliminary code review meetings may be conducted and a fee shall be assessed for other than one- and two-family detached dwellings as follows:

- a. One- and two-family dwellings ..... no fee
- b. Proposed design less than 20,000 square feet ..... \$ 57.00
- c. Proposed design 20,000 square feet  
to 40,000 square feet ..... 112.00
- d. Proposed design more than 40,000 square feet ..... 169.00

(5) *Re-review and stamping of lost construction documents to replace applicant's reviewed field set of construction documents.* Such review and stamping shall be assessed a fee of \$29.00 per hour with a minimum fee of \$29.00. Such fees shall be in addition to other required permit fees.

(6) *Stamping of additional sets of construction documents.* One set of reviewed construction documents shall be provided to the applicant upon permit issuance. Stamping of additional sets of construction documents at the applicant's request shall be assessed a fee of \$18.00 per hour with a minimum fee of \$13.00.

(7) *Nighttime building permits.* The application fee for a nighttime building permit shall be \$51.00. Such fees shall be in addition to other required permit fees.

- (8) *Occupant load certificate fee.* When requested by the applicant, the occupant load of a building or portion of a building will be calculated and a fee shall be assessed of \$108.00.
- (9) *Replacement of occupant load certificate or certificate of occupancy.* When requested by the applicant, a replacement of a previously issued occupant load certificate or certificate of occupancy will be generated and a fee shall be assessed of \$28.00 per certificate.
- (10) *Floodplain certificate fee.* The application fee for a floodplain certificate shall be assessed as follows:
  - a. One- and two-family dwelling floodplain certificate ..... \$41.00
  - b. Other than one- and two-family dwelling floodplain certificates \$84.00
- (11) *Code compliance verification letter fee.* When requested by the applicant, information related to the status of property with regard to building code and land use regulations will be retrieved and transmitted to the applicant and a fee shall be assessed of \$108.00.
- (12) *Address change processing fee.* When requested by the property owner, address changes in compliance with addressing standards shall be processed and a fee shall be assessed as follows:
  - a. One and two family detached dwellings per building: ..... 28.00
  - b. All other buildings per building: ..... 108.00

(d) *Expiration of application.* Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(e) *Commencement of work without permit.*

- (1) Wherever any work for which a permit is required by this article has been commenced without first obtaining a permit, a special investigation may be made before a permit is issued for such work.

(2) Where work for which any permit is required by this article is started prior to obtaining the permit, the fee specified for such permit shall be doubled. This provision shall not be construed as permission to begin work without the required permit except as follows:

- a. In case of an emergency as set forth in section 18-16(a)(1)b.; or
- b. In case the work is being done at a one-family dwelling by the person who owns and occupies such dwelling and the permit is applied for before the end of the workday following notification.

(f) *Fee refunds.* Where no portion of the plan check or inspection work covered by a permit issued by the building official has been commenced, the permit holder may request in writing that the permit be canceled. The permittee shall then be entitled to a refund of 90 percent of the applicable fee actually paid, except that a full refund will be made when the fee was paid or collected in error. Refunds will not be made for fees representing work having been done prior to the time the fee refund request is made. Under any circumstance, fee refund requests must be made within 180 days after the date of payment if no permit is obtained, or 30 days after the permit is canceled or expired.

(g) *Fee for certificate of occupancy.*

(1) *Fee for certificate of occupancy not related to work under a building permit.* Where a certificate of occupancy is required other than in connection with work under a building permit, the person applying for the certificate shall, at the time of filing application therefore, pay to the building official a fee as required for a team inspection in section 18-20 (h). If it is determined that work requiring a permit is necessary for issuance of the certificate, this fee shall be applied toward the permit fee.

(2) *Temporary certificate of occupancy fees.* When a temporary certificate of occupancy is requested by the applicant in connection with work under a building permit and conditions warrant issuance of a temporary certificate of occupancy pursuant to section 18-23(d) of this chapter, a fee shall be assessed according to the following schedule:

- a. Residential one- and two-family dwellings:
  - 1st temporary certificate ..... \$ 0.00
  - 2nd and subsequent certificates ..... 169.00
- b. Residential apartments/condominiums per dwelling unit:
  - 1st temporary certificate ..... 0.00

2nd and subsequent certificates..... 29.00

(Minimum fee of \$169.00; maximum fee of \$337.00)

c. All other structures:

1st temporary certificate..... 0.00

2nd and subsequent certificates..... 337.00

(h) *Inspection fees.*

- (1) *Certificate of inspection for underground spaces.* Inspection and certification of underground space pursuant to section 18-21(g)(2) of this chapter shall be performed by the building official upon payment of a fee of \$281.00 payable upon application for certificate of inspection.
- (2) *Certificate of inspection for elevators.* The fee for the administration of and or inspections and testing of elevator equipment pursuant to section 18-21(g)(1) of this chapter shall be of \$102.00 for the first three floors, or 30 feet of travel, plus \$7.87 for each additional three floors, or 30 feet of travel or fraction thereof. The elevator equipment owner or maintainer shall remit these fees within 60 days of billing. The elevator equipment inspection and tests shall not be scheduled or performed until these fees have been received. Failure to remit these fees within the 60 days will result in a \$12.00 additional administrative fee associated with the cost of the re-billing process for each piece of elevator equipment being billed. All called-for inspections or tests to be performed by Department of Codes Administration inspectors shall be subject to a minimum fee of \$28.00 per each piece of elevator equipment scheduled for inspection and test, if the inspection test is not made or is not completed and the Department of Codes Administration inspector has appeared at the inspection test site, ready to inspect or observe the test, or the scheduled inspection and test is either canceled or rescheduled less than three working days prior to the scheduled date. Payment of fees associated with the failure to perform an inspection and test scheduled with Department of Codes Administration inspectors is the responsibility of the registered elevator contractor who scheduled the elevator equipment inspection and test. All fees outlined above are due and payable to the Department of Codes Administration even when the inspection and testing is performed by a qualified person authorized by the enforcing authority.
- (3) *Certificate of inspection for communication towers.* Inspection and certification of communication towers pursuant to section 18-21(g)(3) of

this chapter shall be completed by the building official upon payment of a fee of \$112.00 payable upon application for certificate of inspection.

- (4) *Certificate of inspection for multilevel parking station structures.* Inspection and certification of multilevel parking station structures pursuant to section 52-31 of chapter 52, parking stations, shall be completed by the building official upon payment of a fee of \$225.00 payable upon application for certification of inspection.
- (5) *Reinspection fees.* When work for which an inspection is requested is not complete (not ready when inspector arrives) or when deficiencies identified on two previous inspection events have not been completed a fee of \$57.00 shall be assessed and no further inspections shall be completed until such fee is paid.
- (6) *Inspections outside of normal business hour fees.* When the permit holder requests inspections outside of normal business hours, a fee of \$45.50 per hour, to include travel time, with a minimum fee of \$135.00 shall be assessed for such service. Eligibility for inspections outside of normal business hours shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections.
- (7) *Team inspection fee.* When requested by the applicant, the building official may conduct a team inspection of a site/building for the purpose of providing the applicant a written assessment of code issues which may assist the applicant in planning a project or in problem solving. Eligibility for team inspections shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections. A fee, payable prior to the inspection being performed, shall be assessed as follows:
  - a. Buildings/projects less than 20,000 square feet ..... \$169.00
  - b. Buildings/projects 20,000 square feet to 40,000 square feet 225.00
  - c. Buildings/projects more than 40,000 square feet ..... 281.00
- (8) *Electrical service reconnect fee:* When a request is made by a property owner for an inspection of an existing electrical service for the purpose of approving the electric utility connection, a fee of \$41.00 shall be assessed. If it is found that work requiring an electrical permit is required, this fee may be credited toward the permit fee.

Exception: Reconnection of a service due to a fire occurring within the 90 days prior to the request.

(i) *Code modification request fees.* Code modification requests (CMR) submitted pursuant to section 18-6 of this chapter shall be assessed the following fees:

- (1) One- and two-family dwellings per dwelling unit..... \$ 40.00
- (2) All other structures per building or tenant space, whichever is greater..... 84.00
- (3) When multiples of (1) or (2) above are submitted simultaneously for the same project, the maximum fee will be.. 450.00
- (4) Requirements contained in article XII, contractors, division 2, registration, division 3, licensing ..... 40.00

(j) *Building and fire codes board of appeals fees.*

- (1) One- and two-family dwellings per dwelling unit..... \$ 40.00
- (2) All other structures per building or tenant space, whichever is greater..... 84.00
- (3) When multiples of (1) or (2) above are submitted simultaneously for the same project, the maximum fee will be.. 450.00
- (4) Requirements contained in article XII, contractors, division 2, registration, division 3, licensing ..... 40.00
- (5) Continuance requested by appellant..... one half of original filing fee
- (6) No filing fee will be charged for appeals of decisions on code modification requests.

(k) *Contractor registration application fee* ..... \$45.00

(l) *Contractor registration fees.* Biennial fees for contractor registration are as follows:

- (1) Elevator contractor class I..... \$80.00
- (2) Elevator contractor class II..... 80.00
- (3) Fire protection contractor class II ..... 80.00
- (4) Fire protection contractor class III..... 80.00

- (5) Sign contractor class I ..... 80.00
- (6) Sign contractor class II ..... 80.00
- (7) Demolition contractor class I ..... 80.00
- (8) Demolition contractor class II ..... 80.00

Contractor registration fees shall not be refundable.

- (m) *Supervisor application fee* ..... \$45.00
- (n) *Supervisor examination fee* ..... \$63.00
- (o) *Supervisor renewal fee* ..... \$80.00

Certificates of supervisor registration shall be issued at no charge for the first year and shall be renewed biennially thereafter at the rate established by this code.

- (p) *Contractor license application fee* ..... \$45.00

(q) *Biennial fees for contractor licenses.* Biennial fees for contractor licenses are as follows:

- (1) Electrical contractor class I ..... \$80.00
- (2) Electrical contractor class II ..... 80.00
- (3) Electrical contractor class III ..... 80.00
- (4) Fire protection contractor class I ..... 80.00
- (5) Gas-fired appliance contractor ..... 80.00
- (6) Heating and ventilating contractor ..... 80.00
- (7) Pipefitting contractor ..... 80.00
- (8) Plumbing contractor ..... 80.00
- (9) Refrigeration contractor ..... 80.00

Contractor license fees shall not be refundable.

(r) *Application fee for certificate of qualification* ..... \$45.00

(s) *Examination fee for certificate of qualification* ..... \$62.00

(t) *Biennial fee for certificate of qualification.* The biennial fee for all certificates of qualification under this division shall be \$80.00, except that the certificate fee for employees of the city shall be waived when performing work for the city as tradesmen or inspectors. Certificates of qualification shall be issued at no charge for the first year and shall be renewed biennially thereafter at the rate established by this code.

(u) *Encroachment ordinance application fee.* Applications submitted pursuant to section 18-40 (Chapter 32 of the *International Building Code*, as amended) of this chapter for special ordinance approval of private use of public property shall be assessed an application fee of \$112.00. This fee is not intended to represent any rental or other payments that may also be required by the city.

Section 2. That Chapter 64, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 64-4, Construction or repair by property owner of facilities in adjacent right-of-way, and enacting a new Section 64-4, to read as follows:

**Sec. 64-4. Construction or repair by property owner of facilities in adjacent right-of-way.**

(a) *Definitions.* As used in this section:

*Director* means the director of Public Works of Kansas City unless otherwise defined herein.

*Improvement* means new or a modification of existing curbs, gutters, driveways from curb to property line, sidewalks, sewers, street lighting systems and appurtenances by a change in grade, construction, repair or reconstruction authorized under this section.

*Owner* means the person, persons, or any legally recognized entity holding title to real property.

*Permittee* means an owner of private property, or the Owner's representative or contractor a holding a Special permit issued pursuant to this section.

*Plan* means a drawing, sketch, report, or document prepared in accordance with adopted City standards and codes to convey a design, Improvement or repair, and submitted for review and permitting pursuant to this section.

*QCR* means Quality Control Review, a process of checking a Plan submittal application or resubmittal for completeness against a certified submittal checklist

that the applicant has prepared and attached to the Plan prior to acceptance for technical review.

*RCR* means Review Comment Resolution, a service provided to communicate and clarify review deficiencies.

*Special Permit* means a permit issued by the director pursuant to this section for the construction or preparation for construction of an Improvement.

*Work* means any activity that involves construction or preparation for construction of an Improvement.

(b) *Permit required; issuance of permit.* The director is hereby authorized to issue a Special Permit, upon request, to owners of private property, or their representatives or contractors, to make Improvements, at their own expense, in the public streets or alleys adjacent to or running through their property, if the director determines that such Improvements are reasonably necessary. No person shall begin any such Work until such permit therefor has been issued.

(c) *Authorization of Work under building permit.* Authorization for construction of such sidewalks and driveways within street rights-of-way adjacent to any lot on which a residential building is proposed may, at the option of applicant, be included in the building permit for that structure.

(d) *Plans and specifications.*

- (1) Plans for the Work shall be prepared by such owners and submitted to the director for his approval. The Plans shall indicate the location, extent and character of the proposed Work, and include an estimate of the amount of the various materials, installation and services to be incorporated in the Work. The Plans shall have cross sections, profiles and other information as are ordinarily included in Plans prepared in the office of the director for like Work. The Plans and Work shall conform to the standard specifications of the city for public Work of like character.
- (2) All Work shall be subject to the direction and supervision and to the satisfaction of the director.

(e) *Sewer construction.*

- (1) The grant of a Special Permit and the construction of the sewers or appurtenances by Owner pursuant to this section does not exempt the property served by such Improvements from any special assessment issued for the construction of sewers by the city in the districts or in the joint districts now or hereafter established by the city, and the city shall not be bound by the Owner's construction of any sewerage Improvements to determine whether the properties served by Owner's Improvements constitute a separate sewer district or districts. All sewers

constructed by Owner pursuant to this section shall become the property of the city upon acceptance by the director, and the city shall have the right and power to make use of, to reconstruct or to change such sewers to provide for the proper sewerage of the drainage area.

- (2) Nothing in this subsection shall be construed to mean that the Owner or Owner's assigns shall be denied the right to use the sewers up to the approved designed capacities, as approved by the director of health and the director. Acceptance of the completed Improvements by the director shall be made only after receipt of reproducible as-built plans.
- (3) The director is hereby authorized to refuse the issuance of building permits or sewer construction permits for any residence, building or structure where such an addition, as determined by the director, would result in exceeding the design capacities of the sewers or sewerage facilities authorized in the Special Permit.

(f) *Performance and maintenance bond.*

- (1) The director shall require the permittee to furnish a performance and maintenance bond, approved by the director of finance, equal to the estimated cost of the Work; unless authorization for the construction of sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by inclusion of those Improvements in the building permit; and unless the requirement is waived as provided in subsection (f)(2) of this section. The bond shall guarantee performance and completion of the Work to the satisfaction of the director, within a time limit specified on the Special Permit. The bond shall also guarantee maintenance of various types of Work for the following periods:
    - a. Grading: one year.
    - b. Curb, gutters, sidewalks and driveways: two years.
    - c. Portland cement concrete and asphaltic concrete pavement: two years.
    - d. Sewers and appurtenances: three years.
  - (2) For sidewalks, curbs or driveways, if the estimated cost of the Work is \$2,000.00 or less, the director may waive the requirement for a bond provided the owner of the abutting property requests such waiver in writing on forms to be provided by the director.
- (g) *Indemnification of city during construction.* Before any permit is issued pursuant to this section, the permittee shall file a bond conditioned to protect and save harmless the city from all claims for damage or injury or death to other persons by reason of such construction Work; or in lieu of such bond the permittee may file

with the city a certificate of public liability insurance in favor of the city, indemnifying the city for claims for damage or injury. The limits and liability of the bond or insurance shall not be less than the following:

- (1) Personal injury, each person: \$100,000.00;
- (2) Personal injury, each occurrence: \$300,000.00;
- (3) Property damage, each occurrence: \$50,000.00; and
- (4) Property damage, aggregate: \$100,000.00;

with the bond or insurance sureties to be approved by the director of finance.

(h) *Application, review process and fees.*

- (1) *Application.* Each applicant for a Special Permit shall complete an application in the form provided by the director. The name of the applicant and lead contact shall appear on the application. The applicable fees pursuant this section shall be paid at the time of filing for review, resubmittal, and permit issuance. After review of an application, the director shall notify the applicant of such further action and reviews as necessary. If an application is approved, the applicant may procure all required permits for the Work within 365 days. If all required permits for the Work have not been procured, then the approval of the application shall be null and void, provided that the director may waive reapplication for Plan review or may extend the time for action by the applicant for a period not to exceed 180 days upon request by the applicant if the director determines that there exist circumstances beyond the control of the applicant preventing procurement of permits for the Work. Not more than one extension shall be allowed. Thereafter, a new application and new fee shall be required. Plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the director.
- (2) *Estimated cost of Construction.* The determination of the estimated cost of construction under any provision of this section shall be made by the director. The estimated cost of construction to be use in computing the Special Permit fee and associated review fees shall be based on the total costs of similar construction at the time of application for review or permit issuance.
- (3) *Major infrastructure reviews and permit fees.* As a condition for issuance of a Special permit pursuant this section for grading, improvements to streets, alleys, streetlights, streetlight signals, storm sewers, and sanitary sewers, the applicant shall pay a basic Plan fee in an amount equal to seven and one half percent (7.5%) of the estimated cost of the construction, and such other fees as set forth herein, to defray the cost of Plan review services, quality control review (QCR) services,

review comment resolution (RCR) services, resubmittal review services, permitting services, supervision, and inspection services. The basic Plan fee shall be composed of both an initial technical Plan review fee for Plan review services, (QCR) services, and (RCR) services in an amount equal to **3.25%** of the estimated cost of the construction, and a permitting fee for permitting services, supervision and construction inspection in an amount equal to **4.25%** of the estimated cost of the construction. In no case shall the basic Plan fee be less than \$10.00.

An applicant shall submit a Plan for QCR and certify that all of the necessary Plan components are contained in the Plan as required by the Special Permit submittal checklist. If as certified, all of the Plan components have been submitted, but the submittal fails QCR for other omissions or deficiencies not set out in the checklist, no additional fee will be charged for subsequent QCR submissions by the applicant, if any, required by the director. If any QCR determines that Plan does not contain all of the components certified by the applicant, then the applicant shall pay the city an additional fee of \$56.00 for each subsequent submittal for QCR made necessary by applicant's failure to satisfactorily cure the deficiencies.

If the Plan passes QCR, then the Plan shall be submitted for technical review of the Plans and applicant shall pay the initial technical Plan review fee in an amount equal to 3.25% of the estimated construction cost. If after the initial technical review the director determines that there are technical deficiencies in the Plan, the director shall notify applicant of the deficiencies and offer RCR services, and applicant may resubmit the Plan for a second technical review without an additional review fee. Prior to a second technical review the applicant shall submit a revised Plan for QCR and certify that all of the necessary Plan components, additions, or changes previously noted by the director are contained in the Plan. If any QCR determines that Plan does not contain all of the revised components certified by the applicant, then the applicant shall pay the city an additional fee of \$56.00 for each subsequent QCR made necessary by applicant's failure satisfactorily cure the QCR deficiencies. On second technical review and all technical reviews thereafter, if the director determines that the applicant has failed to satisfactorily cure the technical deficiencies previously noted on prior technical reviews, then the applicant shall pay the city an additional resubmittal technical review fee in an amount equal to **0.25%** of the estimated cost of construction for each subsequent technical review made necessary by applicant's failure to satisfactorily cure such deficiencies.

If after the technical review the director determines that the Plan application is in substantial compliance with city's regulations and adopted standards, the director shall notify applicant of application approval for permit issuance. The applicant shall pay the permitting fee in an amount equal to **4.75%** of the estimated cost of construction and procure all required permits as provided in Section (h) (1). The determination that the Plan is in compliance with city regulations does not imply

that the city is guaranteeing specific outcomes nor is the city accepting any responsibility for the Plan.

- (4) *Minor infrastructure reviews and permit fees.* As a condition for issuance of any permit pursuant to this section for new sidewalks, driveways, curbs and gutter sections, the basic Plan, permitting services, supervision and inspection fee shall be an amount equal to seven percent (7.0%) of the estimated cost of the new Work, but in no case shall the fee be less than \$10.00. As a condition for issuance of any permit under this section for the repair or replacement of existing sidewalks, driveways, curbs and gutter sections, the basic Plan fee for initial permitting services, supervision, and inspection services shall be an amount equal to five percent (5%) of the estimated cost of the repair or replacement, but in no case shall the fee be less than \$10.00.
- (5) *Sidewalks and driveways.* Where authorization for the construction of sidewalks and driveways within street rights-of-way, required by ordinance, adjacent to any lot for which a residential building is proposed, is included in a building permit, such fee shall be \$70.00 for interior lots and \$105.00 for corner lots. Such fees shall be collected as part of the building permit fee.
- (6) *Supplementary fees.* The fee for a supplementary review and Special Permit to cover any additional value not included in the original permit shall be the difference between the fee paid for the original application or permit and the fee which would have been required had the original application or permit included the entire value of the Work. The minimum supplemental Special Permit fee assessed shall be \$10.00.
- (7) *Payment of fees.* All fees shall be rounded off to the next whole dollar amount. Fees may be waived at the discretion of the director during times of declared emergency.
- (8) *Fee refunds.* For fees specified in this section, if no portion of the application for Plan review or permit inspection has commenced, the applicant may request in writing that the application be canceled. The applicant shall then be entitled to a refund of 90 percent of the applicable fee actually paid, except that a full refund will be made when the fee was paid or collected in error. If Plan reviews or permit inspections have commenced prior to receipt of a written request for cancellation of the application for a Special Permit, then a refund will not be made. No refund will be made if a request for a refund has been made more than 30 days after the Special Permit has expired and no Work has commenced.
  - (i) *Commencement of Work without permit.* Whenever any Work for which a Special Permit is required by this section has commenced without first obtaining a Special Permit, a special investigation may be made before a Special Permit is issued for such Work and all fees

specified for obtaining such permit shall be doubled. This provision shall not be construed as permission to begin Work without the required permit.

(j) *Penalty.*

- (1) Any person, whether owner, representative, contractor, subcontractor or foreman, who shall grade, construct, repair, reconstruct or alter any public street, pavement, curb, gutter, driveway, sidewalk or sewer within any public way, or any public sewer adjacent to or running through any private property within a public right-of-way, without first securing a Special Permit therefore, issued by the director, shall be deemed guilty of an ordinance violation, and upon conviction thereof shall be fined in an amount not less than \$50.00 and not more than \$500.00.
- (2) For every day after the conviction of any person for the violation, failure, neglect or refusal to comply with any provision, regulation or requirement of this section, that such violation is continued, such person shall be deemed and taken to be guilty of a separate and distinct offense, for which he may be again arrested and tried, and, upon conviction, be punished as in the first offense.

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Approved as to form and legality:

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Assistant City Attorney