

**ORDINANCE NO. 17-2017**

**INTRODUCED BY: Council as a Whole and Mayor Ann Marie Donegan**

**AN ORDINANCE UPDATING AND AMENDING THE BUILDING PERMITS AND FEE SCHEDULES IN CHAPTER 1448 "PERMITS AND FEES" AND CHAPTER 1452 "DEVELOPERS DEPOSITS AND OTHER FEES" AND DECLARING AN EMERGENCY**

**WHEREAS**, the building permit and fee schedules and planning and zoning permit fee schedules were last updated June 11, 2013 and it is appropriate to review and update said fee schedules to reflect actual costs incurred for such services; and

**WHEREAS**, the building department, city planner and the administration have reviewed said schedules and have recommended updates to the schedules. Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:**

**SECTION 1.** That Sections 1448.03; 1448.035; 1448.04; 1448.05; 1448.06; 1448.07; and 1448.08 of current Chapter 1448 are hereby amended and consolidated into Section 1448.03 to read as shown on Exhibit "A" attached hereto and incorporated herein by reference such that fees shall be imposed as reflected therein for building permits and specific fees, and current Sections 1448.035, 1448.04, 1448.05, 1448.06, 1448.07 and 1448.08 are therefore repealed.

**SECTION 2.** That current Chapter 1452, is hereby amended, reconstituted and restated to read as shown on Exhibit "B" attached hereto and incorporated herein by reference such that fees shall be imposed as reflected therein for Planning and Zoning fees and Deposits and current Chapter 1452 is therefore hereby repealed.

**SECTION 3.** All prior legislation inconsistent with this legislation in whole or in part are hereby repealed to the extent necessary to avoid conflict with this legislation.

**SECTION 4.** Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 5.** This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the health, safety and welfare of the residents of the City of Olmsted Falls for the further reason that it is immediately necessary to update the fee schedules to provide revenue to the City more appropriate to meeting its actual costs of building department and other administrative services. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members



*New*

**REPLACE SECTIONS 1448.03, 1448.035, 1448.04, 1448.05, 1448.06, 1448.07, AND 1448.08 WITH THE FOLLOWING:**

**1448.03 PERMIT FEE SCHEDULE.**

Fees for permits to erect, construct, remodel, alter or repair any building, structure or property, or part thereof, shall be charged according to the following schedule:

<b>BUILDING PERMITS</b>	
<b>RESIDENTIAL BUILDING PERMITS</b>	
New Construction	\$250.00 plus \$0.15 per Square Foot
Additions	\$100.00 plus \$0.15 per Square Foot
Alterations	\$75.00 plus \$0.15 per Square Foot
Foundation Only	\$180.00
Garages	\$150.00 plus \$0.15 per Square Foot
Accessory Buildings	\$50.00 Each
Decks	\$100.00
Occupancy Certificate	\$150.00 New Dwelling \$75.00 Addition
Roofing	\$150.00
Siding	\$150.00
Window Replacement	\$100.00 plus \$2.00 per Window
Door Replacement	\$75.00 plus \$2.00 per Door
Swimming Pools, Hot Tubs, Fountains, ect.	\$100.00
Elevator	\$100.00 plus \$30.00 per Floor Served
Waterproofing	\$100.00
House Demolition	\$150.00
Accessory Structure Demolition	\$50.00
<b>RESIDENTIAL ELECTRICAL PERMITS</b>	
New Construction	\$200.00 plus \$0.05 per Square Foot
Additions	\$150.00 plus \$0.05 per Square Foot
Alterations	\$75.00 plus \$0.05 per Square Foot

	Temporary Service	\$75.00	
	New Service	\$75.00	
	Electrical Panels and Sub-Panels	\$75.00 Each	
	Security Systems	\$50.00	
	Generators	\$125.00	
<b>RESIDENTIAL PLUMBING PERMITS</b>			
	New Construction	\$200.00 plus \$0.05 per Square Foot	
	Additions	\$150.00 plus \$0.05 per Square Foot	
	Alterations	\$75.00 plus \$0.05 per Square Foot	
	Fixtures	\$10.00 Each	
	Hot Water Heaters	\$25.00 Each	
	Gas Lines	\$35.00	
<b>RESIDENTIAL HVAC PERMITS</b>			
	New Construction	\$200.00 plus \$0.05 per Square Foot	
	Additions	\$150.00 plus \$0.05 per Square Foot	
	Alterations	\$75.00 plus \$0.05 per Square Foot	
	Heating or Air Conditioning Units	\$35.00 Each	
	Solar or Geothermal Systems	\$125.00	
	Ventilation (Hoods, Exhaust Fans, etc.)	\$10.00 Each	
	Fire Places and Wood Stoves	\$50.00 Each	
<b>RESIDENTIAL SITE PERMITS</b>			
	Driveway Pavement	\$60.00	
	Driveway Apron	\$30.00	
	Sidewalk or Patio	\$50.00	
	Garage Pad	\$30.00	
	Fence	\$40.00	
	Retaining Walls	\$75.00	
	Site Grading	\$75.00	
	Lawn Sprinkler	\$50.00	

	Right-of-way Permit	\$500.00	
	Utility Connections and Laterals	\$75.00 Each	
	Storm Drainage Basins	\$30.00 Each	
	Storm Sewer Service Line	\$250.00	
	Tap-in Fee	\$250.00	
	Park and Recreation Fee	\$500.00 per Dwelling Unit	
<b>RESIDENTIAL PLAN REVIEW FEES</b>			
	Engineering Site Plan and Grading Review	\$850.00	
	Dwelling Demolition Review	\$500.00	
	Structural Plan Review	\$100.00 Dwelling \$75.00 Accessory Structures	
	Electrical Plan Review	\$35.00 Dwelling \$25.00 Accessory Structures	
	Plumbing Plan Review	\$35.00 Dwelling \$25.00 Accessory Structures	
	HVAC Plan Review	\$35.00 Dwelling \$25.00 Accessory Structures	
	Fire Suppression Review	\$35.00 Dwelling \$25.00 Accessory Structures	
<b>RESIDENTIAL DEPOSITS</b>			
	Dwelling Demolition	\$500.00	
	New Dwelling	\$500.00	
	Right-of-way	\$500.00	
<b>NON-RESIDENTIAL AND MULTI-FAMILY BUILDING PERMITS</b>			
	New Construction	\$450.00 plus \$0.15 per Square Foot	
	Additions	\$250.00 plus \$0.15 per Square Foot	
	Alterations	\$150.00 plus \$0.15 per Square Foot	
	Occupancy and Use Certificate	\$150.00 per Dwelling Unit \$100.00 per 1,000 Square Feet of Non-Residential Floor Area	
	Demolition	\$250.00 Building \$150.00 Interior	
	Elevator	\$125.00 plus \$50.00 per Floor Served	

<b>NON-RESIDENTIAL AND MULTI-FAMILY ELECTRICAL PERMITS</b>		
	New Construction	\$250.00 plus \$0.07 per Square Foot
	Additions	\$175.00 plus \$0.07 per Square Foot
	Alterations	\$125.00 plus \$0.07 per Square Foot
	Temporary Service	\$100.00
	New Service	\$100.00
	Electrical Panels and Sub-Panels	\$75.00 Each
	Security Systems	\$75.00
	Generators	\$125.00
	Communications Systems	\$100.00
	Communications Tower	\$400.00
	Fire Alarm Systems	\$100.00 plus \$2.00 per Device
<b>NON-RESIDENTIAL AND MULTI-FAMILY PLUMBING PERMITS</b>		
	New Construction	\$250.00 plus \$0.07 per Square Foot
	Additions	\$175.00 plus \$0.07 per Square Foot
	Alterations	\$125.00 plus \$0.07 per Square Foot
	Fixtures	\$10.00 Each
	Hot Water Heaters	\$35.00 Each
	Gas Lines	\$75.00
	Fire Suppression Systems	\$125.00 plus \$2.00 per Head
<b>NON-RESIDENTIAL AND MULTI-FAMILY HVAC PERMITS</b>		
	New Construction	\$250.00 plus \$0.07 per Square Foot
	Additions	\$175.00 plus \$0.07 per Square Foot
	Alterations	\$125.00 plus \$0.07 per Square Foot
	Heating or Air Conditioning Units	\$75.00 Each
	Solar or Geothermal Systems	\$250.00
	Hoods and Hood Suppression	\$175.00 Each

	Fire Places	\$75.00 Each	
	Conversion or Replacement	\$75.00	
<b>NON-RESIDENTIAL AND MULTI-FAMILY SITE PERMITS</b>			
	Driveway Pavement	\$75.00 per 100 Lineal Feet	
	Parking Lot Paving	\$125.00 per 5000 Square Feet	
	Sidewalk or Patio	\$50.00	
	Swimming Pools	\$250.00	
	Fence	\$75.00	
	Hot Tubs and Water Features	\$125.00 Each	
	Site Grading	\$125.00	
	Right-of-way Permit	\$1,000.00	
	Utility Connections and Laterals	\$100.00 Each	
	Storm Drainage Basins	\$50.00 Each	
	Storm Sewer Service Line	\$500.00	
	Tap-in Fee	\$2,500.00 Restaurants \$1,500.00 Other Uses	
	Park and Recreation Fee	\$500.00 per Dwelling Unit or \$350.00 per 1,000 Square Feet of Non-Residential Floor Area	
	Sign Permits – Non-Illuminated	\$100.00 Less than 24 Square Feet \$200.00 From 24 to 48 Square Feet \$300.00 Greater than 24 Square Feet	
	Sign Permits – Illuminated	\$200.00 Less than 24 Square Feet \$400.00 From 24 to 48 Square Feet \$600.00 Greater than 24 Square Feet	
	Outdoor Temporary Sales and Displays and Temporary Events	\$50.00 plus \$2.00 per Day	
	Storage Tanks	\$100.00 Each	
	Use of Hydrant	\$25.00	
<b>NON-RESIDENTIAL AND MULTI-FAMILY PLAN REVIEW FEES</b>			
	Engineering Site Plan and Grading Review	\$1,500.00	
	Industrial Unit	\$200.00 plus \$0.02 per Square Foot	
	Structural Plan Review	\$200.00 plus \$0.08 per Square Foot	
	Electrical Plan Review	\$200.00 plus	

		\$0.05 per Square Foot	
	Plumbing Plan Review	\$200.00 plus \$0.05 per Square Foot	
	HVAC Plan Review	\$200.00 plus \$0.05 per Square Foot	
	Fire Suppression Review	\$200.00 plus \$0.03 per Square Foot	
	Fire Alarm Review	\$200.00 plus \$0.03 per Square Foot	
	Re-Reviews and Special Reviews	\$95.00 per hour	
<b>NON-RESIDENTIAL AND MULTI-FAMILY DEPOSITS</b>			
	Demolition	\$750.00	
	Right-of-way	\$1,000.00	
	Engineering	\$1,000.00	
<b>REINSPECTION FEES</b>			
	Residential	\$50.00	
	Non-Residential and Multi-Family	\$75.00	
<b>BOARD OF BUILDING STANDARDS FEES</b>			
	Residential Permits	1% of Permit Fee Total	
	Non-Residential and Multi-Family Permits	3% of Permit Fee Total	
<b>MISCELLANEOUS REQUEST</b>			
	All Requests and Applications Not Otherwise Identified	\$50.00	



New

**CHAPTER 1452  
PLANNING AND ZONING FEES AND DEPOSITS**

**1452.01 FEES AND/OR DEPOSIT REQUIRED.**

There is hereby established a schedule of fees and deposits for informal discussions, minor subdivisions, major subdivisions, developmental plan reviews, conditional use certifications, appeals, variances, amendments and other procedures and services pertaining to the administration and enforcement of the Planning and Zoning Code.

- (a) **FILING FEES.** Each application to the City requesting action on any of the following matters, shall be accompanied by a non-refundable fee in accordance with the following schedule:

<b>PLANNING AND ZONING APPLICATION FEES</b>			
<b>SUBDIVISION OF LAND APPLICATION FEES</b>			
	Informal Review	\$100.00	
	Minor Subdivisions and Lot Splits	\$500.00 plus \$10.00 per Lot	
	Major Subdivisions - Preliminary Plat	\$1,500.00 plus \$50.00 per Lot	
	Major Subdivisions - Final Plat	\$2,500.00 plus \$100.00 per Lot	
<b>ZONING APPLICATION FEES</b>			
	Conditional Use Permits - Residential Districts	\$500.00 plus \$10.00 per Notice	
	Conditional Use Permits - Non-Residential Districts	\$1,500 plus \$10.00 per Notice	
	Residential Planned Developments - Preliminary Plans	\$1,500.00 plus \$50.00 per Dwelling Unit	
	Residential Planned Developments - Final Plans	\$1,500.00 plus \$50.00 per Dwelling Unit	
	Mixed-Use Developments Preliminary Plans	\$2,500.00 plus \$100.00 per Acre	
	Mixed-Use Developments Final Plans	\$5,000.00 plus \$200.00 per Acre	
	Variances	\$150.00 plus \$10.00 per Notice	
	Zoning Map Amendments	\$500.00 plus \$150.00 per Acre and \$10.00 per Notice	

(b) CONSTRUCTION DEPOSITS. Prior to beginning any approved improvement or phase, the developer shall deposit with the City a sum of two thousand five hundred dollars (\$2,500.00) to cover all expenses incurred by the City for completion of any corrections which the developer, having been informed in writing and given reasonable time to comply, has failed to make, and which in the opinion of the City Engineer is injurious or potentially injurious to the public.

(c) INSPECTION DEPOSITS. Prior to beginning any approved improvement, the developer shall deposit with the City a sum equal to five percent of the estimated cost of the improvements with a minimum deposit required of one thousand five hundred dollars (\$1,500.00) to cover expenses incurred by the City for inspection of such improvements.

(d) MAINTENANCE OF REQUIRED DEPOSITS. Deposits required by this chapter shall be maintained such that whenever the balance of the fund is reduced to less than twenty percent (20%) of the original amount, the City shall notify the developer in writing to provide additional funds to return the balance to the amount originally required. If such funds are not provided within seven working days thereafter, the City may halt the project by issuing a cease work order and initiate proceedings to dismiss the application.

(e) INSURANCE. The developer agrees to hold the City harmless from any and all claims of any type, nature and description whatsoever, arising from the provision of improvements or other activities covered by the Subdivision Regulations. In addition, the developer shall defend and pay the costs and any judgment resulting from such claims upon reasonable notification of the pendency of the claim by the City or by any party. The developer shall not be responsible for claims arising from the sole negligence of an employee of the City.

(f) CERTIFICATE OF INSURANCE. The developer shall furnish the Law Director with a certificate of insurance or a certified copy of the insurance policy, as proof that the developer and his or her subcontractors are covered by general liability coverage, in amounts of not less than two hundred fifty thousand dollars (\$250,000) per person and five hundred thousand dollars (\$500,000) per occurrence for bodily injury and not less than one hundred thousand dollars (\$100,000) per occurrence for property damage. Such policy shall contain no unusual exclusions, shall name the City as an additional insured and shall not be cancelable as to the City on less than thirty days written notice in advance of such cancellation.

#### 1452.02 CHARGES AGAINST DEPOSITS.

Any such work specifically occasioned by a request covered by Section 1452.01 or incidental thereto shall be charged against the appropriate deposit set forth in Section 1452.01, subject to objection by the depositor. Charges shall be billed against the deposit for work performed by the City Engineer, the Law Director, City Planner, Arborist, Traffic Engineer, Architect or any other professional services in

reviewing such plats or plans or any other work associated with the review, installation or maintenance associated therewith.

**1452.03 OBJECTION TO CHARGES.**

In the event of objection under Section 1452.02, the Director of Finance shall notify the employee or contractor involved in the objection. Within ten days the employee or contractor shall furnish a written statement to the Director substantiating the charge and including the necessity for the work and the nature, place, approximate time, duration and result of the performance. The Clerk shall furnish a copy of such statement to each member of Council and to the depositor. At the next regular meeting of Council the depositor shall have the opportunity in writing, or orally, to state and detail his objection. Council shall then determine the matter by affirming, canceling or amending the charge. Such determination shall be final and binding on the employee or contractor and upon the depositor. Any funds previously paid to the employee or contractor which Council determines to have been improperly paid shall be deducted from amounts owed to the employee or contractor and unpaid, or if such amounts are insufficient, shall be returned by the employee or contractor upon request by the Director.

**1452.04 RETURN OF UNUSED DEPOSITS.**

Upon completion of the project for which a deposit was made, the depositor may request in writing to the Director of Finance the return of unused funds. The Finance Director, upon determination that the project has been completed or otherwise terminated in a satisfactory manner and that no charges or liabilities exist which have not been charged against the deposit, shall release the remaining funds to the depositor at the earliest reasonable time.

**1452.05 REMOVAL OF DEBRIS FROM STREETS.**

(a) Every general contractor and commercial enterprise engaged in construction in the City shall be responsible, for himself or herself, his or her agents and employees, his or her subagents and subcontractors, and all suppliers involved in the delivery of building materials, etc., to the properties in question, for keeping and maintaining vehicles, machinery, etc., used in connection with such construction operations operating in such a fashion as not to deposit or cause to be deposited on streets in the City any mud, dirt, sand, gravel or other building materials or debris of any kind or character.

(b) Every general contractor and commercial enterprise, as set forth in subsection (a) hereof, shall cause any mud, dirt, sand, gravel or other building material or debris of any kind or character which is deposited in the streets of the City by himself or herself, his or her agents and employees, his or her subagents and subcontractors, and all suppliers involved in the delivery of building materials, etc., to the properties in question, to be removed immediately after deposit thereof on the City streets. In addition, any mud from the construction site deposited on the City streets by rain passing over rough graded lands should likewise be removed immediately after the termination of such rain. At the end of each working day all

City streets and roadways should be checked by the general contractor for accumulations of mud, dirt, sand, gravel or other building materials or debris of any kind or character and the same shall be removed therefrom.

(c) At least once each week, the City roadway or street and connecting roadways should be cleaned by means of a street sweeper engaged by or operated by the general contractor to remove all fine particles, as well as to control dust on the City streets and roadways.

(d) Every developer and contractor shall be responsible to maintain all property under his/her control in full compliance with all maintenance standards set by City code and/or established as a condition of the project approval.

(e) If the general contractor or the commercial enterprise fails to comply therewith, the City may notify the general contractor or the commercial enterprise of such failure and require that he or she remedy such condition within forty-eight hours of such written notice. If the general contractor or commercial enterprise fails to remedy the condition to the satisfaction of the City within such forty-eight hours, the City may take whatever steps are necessary to correct such condition through its own departmental employees or persons specially hired to do such work, and may charge the cost of such work by the City, or on its behalf, against the construction deposit provided for in this chapter. Any such charge against such deposit shall be made in compliance with this chapter.

(f) Nothing contained in this section shall be construed as relieving any person from liability under any penal ordinances to statutes relating to littering or other offenses.

**1452.99 PENALTY.**

Whoever violates any of the provisions of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues. A notice of noncompliance and order to cease work may be given on each day for which an offense is charged.