

File **2011-00018936**

ORDINANCE NO.

2011-07-377

AN ORDINANCE AMENDING ORDINANCE 2008-02-306 WHICH AMENDED ORDINANCE 2006-10-273, SECTION 155.01 (Z) OF THE CODE OF ORDINANCES FOR THE CITY OF TONTITOWN, ARKANSAS AND AMENDING THE FEES OWED TO THE CITY OF TONTITOWN, ARKANSAS.

WHEREAS, the City Council of Tontitown, Arkansas deems it necessary from time to time, to adjust certain standards for development, which could be implemented in keeping with the City adopted Subdivision Ordinance for the purposes of promoting the health, safety, and general welfare of the citizens of Tontitown, Arkansas.

WHEREAS, the Tontitown City Council has prepared an Ordinance amending Ordinance No. 306 which amended No. 273, codified at Section 155.01 (Z) of the Code of Ordinances, the same being the Ordinance Regulating the Fees associated within building and development of property located with the City Limits and Planning Area of the City of Tontitown, Arkansas.

WHEREAS, the Tontitown City Council seeks to update all departmental fees and permits.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS IN REGULAR SESSION ASSEMBLED AS FOLLOWS:

SECTION 1. Ordinance No. 306 which amended Ordinance No. 273, codified as Section 155.01 (Z) of the Code of Ordinances of the City of Tontitown, was adopted for the regulation of the development of property located within the City Limits and Planning Area of the City of Tontitown, Arkansas, and for other purposes is amended as hereinafter set forth.

SECTION 2. Section 155.01 (Z) of the Code of Ordinances of the City of Tontitown, Arkansas is hereby amended to read as follows.

PERMITS

(1) *Building permit.* The city determines the valuation of a structure using the ICC Building Valuation Data Table. A copy of the table is available on the International Building Code's website at www.iccsafe.org/es/techservices. The valuation table is updated every six months to provide an up-to-date "average" construction cost per square foot. Once the valuation is determined, the following table is used to calculate permit fees:

- (a) \$28.75 fee for any valuation of a structure that is \$3,000.00 or less.
- (b) \$28.75 fee for the first \$3,000.00 plus \$5.75 for each additional thousand or fraction thereof, to and including \$50,000.00, for any valuation of a structure that is from \$3,000.01 to \$50,000.00.
- (c) \$299.00 fee for the first \$50,000.00 plus \$4.60 for each additional thousand or fraction thereof, to and including \$100,000.00, for any valuation of a structure that is from \$50,000.01 to \$100,000.00.
- (d) \$529.00 fee for the first \$100,000 plus \$3.45 for each additional thousand or fraction thereof, to and including \$500,000.00, for any valuation of a structure that is from \$100,000.01 to \$500,000.00.
- (e) \$1,909.00 fee for the first \$500,000.00 plus \$2.30 for each additional thousand or fraction thereof, for any valuation of a structure in excess of \$500,000.01.

(2) If work for which a permit is required by Chapter 152, Subdivisions, is started or proceeded with, prior to obtaining said permit or other approvals required by ordinance, the fees specified herein and elsewhere in the Code of Ordinances shall be doubled, but the payment of such doubled fee shall not relieve any persons from fully complying with the requirements of Chapter 152 and all applicable in the execution of the work, nor from any other penalties prescribed therein.

(3) *Plan checking fees.* When the valuation of the proposed construction is for a commercial use and exceeds \$1,000.00, and a plan is required to be submitted by the Code of Ordinances, a plan checking fee shall be paid to the Inspection Department at the time of submitting plans and specifications for checking. Residential plan checking fees apply to single-family dwellings or all multi-family dwellings with a valuation of \$300,000.00 or more. Said plan checking fee shall be equal to one-half of the building permit as set forth in the code.

(4) *Miscellaneous commercial permits.* Shell commercial structures will receive a final building permit upon approval of completion of the shell building and associated systems. Tenant improvement permits and interior remodeling permits will be issued based on the permit and plan checking fee schedule.

(5) *Additions to commercial or residential buildings.* Fees for additions to commercial and residential buildings will be regarded as new construction for fee purposes.

(6) *Fast track commercial permits.* Fees for fast-track commercial permits, if design-build fast-track review is approved by the Building Official, shall be \$300.00 for each partial submittal and will be charged in addition to the fees and requirements set forth in each separate code.

(7) *Reinspection.* Fees for reinspection shall be \$25.00, which includes each reinspection for correction of violations and/or if installation is not ready for requested inspections.

(8) *Partial certificate of occupancy.* Fees for partial certificate of occupancy shall be \$25.00 for 30-day duration.

(9) *Certificate of occupancy.* Fees for a certificate of occupancy permit shall be \$150.00.

(10) *Extension of permit.* Fees for an extension for 180-day duration permit shall be \$50.00.

(11) *Certificate of occupancy for change use involving on-site inspection.* Fees for a certificate of occupancy for change of use involving on-site inspection, if no plans are required by the Building Official, shall be \$100.00.

(12) *After hours/emergency inspection.* Fees for an after hours/emergency inspection shall be \$30.00 per hour.

(13) *Grading permit.* For each grading permit submitted, the Recorder/Treasurer shall collect a fee of \$100.00.

(14) *Sign permit.* For each sign permit submitted, the Recorder/Treasurer shall collect a fee of \$115.00.

(15) *Moving permit.* Moving of building or structure. Additional highway permits may be required. For each moving permit submitted, the Recorder/Treasurer shall collect a fee of \$300.00.

(16) *Demolition permit.* Demolition of any building or structure. For each demolition permit submitted, the Recorder/Treasurer shall collect a fee of \$150.00.

(17) *Fence permit.* For each fence permit submitted, the Recorder/Treasurer shall collect a fee of \$100.00.

(18) *Mechanical permit.* For each mechanical permit submitted, the Recorder/Treasurer shall collect a fee of \$75.00 on Residential and \$50.00 on Commercial plus 1% (.010) of Job Cost up to \$10,000.00, plus 1/2% (.005) of Job Cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of Job Cost up to \$20,001.00 and above.

(19) *Electrical permit.* For each electrical permit submitted, the Recorder/Treasurer shall collect a fee of \$75.00 on Residential and \$50.00 on Commercial plus 1% (.010) of Job Cost up to \$10,000.00, plus 1/2% (.005) of Job Cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of Job Cost up to \$20,001.00 and above.

(20) *Plumbing permit.* For each plumbing permit submitted, the Recorder/Treasurer shall collect a fee of \$75.00 on Residential and \$50.00 on Commercial plus 1% (.010) of Job Cost up to \$10,000.00, plus 1/2% (.005) of Job Cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of Job Cost up to \$20,001.00 and above.

(21) *Boring permit.* For each boring permit submitted, the Recorder/Treasurer shall collect a fee of \$200.00.

(22) *Road Cut permit.* For each road cut permit submitted, the Recorder/Treasurer shall collect a fee of \$200.00.

SECTION 3. The City Council hereby determines that this Ordinance is necessary to provide for adequate fees relating to the submittal and review of plats and various activities within the City of Tontitown, Arkansas and its area of planning jurisdiction, and that said fees be paid by the developer in order to relieve the citizens of undue financial burden; and that provision of this Ordinance is essential to protect the health, safety, and welfare of the public; that the immediate passage of this Ordinance is necessary to adequately accomplish these purposes. Therefore, an emergency is hereby declared to exist and this Ordinance being necessary for the public welfare shall be in full force and effect from and after its passage and approval.

SECTION 4. This Ordinance will have no effect on any other Fees found in Code Section 155.01.

PASSED AND APPROVED THIS 5th DAY OF July, 2011

Tommy Kanto

Mayor

ATTEST:

Jamie Kiser

Recorder/Treasurer





Washington County, AR
I certify this instrument was filed on
07/11/2011 11:36:54 AM
and recorded in Real Estate
File Number 2011-00018936
Bette Stamps - Circuit Clerk

96

Roll Call

Shall the Ordinance Pass:

| | Yea | Nay |
|-------------------------|-------------------------------------|---|
| Alderman David Bolinger | <input checked="" type="checkbox"/> | <input type="checkbox"/> Ward 1, Position 1 |
| Alderman Henry Piazza | <input checked="" type="checkbox"/> | <input type="checkbox"/> Ward 1, Position 2 |
| Alderman Arthur Penzo | <input checked="" type="checkbox"/> | <input type="checkbox"/> Ward 2, Position 1 |
| Alderman Bobby Pianalto | <input checked="" type="checkbox"/> | <input type="checkbox"/> Ward 2, Position 2 |
| Alderman Julie Bowling | <input checked="" type="checkbox"/> | <input type="checkbox"/> Ward 3, Position 1 |
| Alderman Mike Zulpo | <input checked="" type="checkbox"/> | <input type="checkbox"/> Ward 3, Position 2 |
| Mayor Tommy Granata | <input type="checkbox"/> | <input type="checkbox"/> |
| TOTALS | <u>6</u> | <u>0</u> |