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Washington County, AR
Bette Stamps Circuit Clerk

File **2008-00011480**

ORDINANCE #2008-02-306

AN ORDINANCE AMENDING ORDINANCE 2006-10-273, SECTION 155.01 OF THE CODE OF ORDINANCES FOR THE CITY OF TONTITOWN, ARKANSAS AND AMENDING THE FEES OWED TO THE CITY OF TONTITOWN, ARKANSAS

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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. 273, codified at Section 155.01 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 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. 273, codified as Section 155.01 of the Code of Ordinances of the City of Tontitown, was adopted for the regulation of the development of property located with the City Limits and Planning Area of the City Tontitown, and for other purposes is amended as hereinafter set forth.

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

(A) *Technical plat.* For each technical plat submitted, the Recorder/Treasurer shall collect a fee of \$460.00.

(B) *Preliminary plat.* For each preliminary plat submitted, the Recorder/Treasurer shall collect a fee of \$460.00 or \$25.00 per lot up to 50 lots, whichever is greater; for preliminary plats submitted that contain 50 lots to 100 lots, a fee of \$2,156.25 will be charged; for preliminary plats submitted that contain an excess of 100 lots, a fee of \$2,156.25 will be charged or \$28.75 per lot, whichever is greater, with a maximum fee of \$3,450.00; for preliminary plats .

(C) *Final plat.* For each final plat submitted, the Recorder/Treasurer shall collect a fee of \$500.00.

(D) *Informal plat.* For each informal plat submitted, the Recorder/Treasurer shall collect a fee of \$200.00.

(E) *Large scale development.* For each large scale development submitted, the Recorder/Treasurer shall collect a fee of \$500.00.

(F) *Tech review of LSD.* For each tech review of LSD submitted, the Recorder/Treasurer shall collect

a fee of \$575.00.

(G) *Conditional use*. For each conditional use submitted, the Recorder/Treasurer shall collect a fee of \$230.00.

(H) *Each request re-zoning*. For each request re-zoning submitted, the Recorder/Treasurer shall collect a fee of \$400.00.

(I) *Tech re-plat review*. For each tech re-plat review submitted, the Recorder/Treasurer shall collect a fee of \$460.00. (Re-plats are the same as preliminary plats.)

(J) *Variance request*. For each variance request submitted, the Recorder/Treasurer shall collect a fee of \$125.00.

(K) *Zoning regulations (copies)*. For each copy of zoning regulations, the Recorder/Treasurer shall collect a fee of \$40.00.

(L) *Drainage manual (copies)*. For each copy of the drainage manual, the Recorder/Treasurer shall collect a fee of 100.00.

(M) *Subdivision regulations (copies)*. For each copy of subdivision regulations, the Recorder/Treasurer shall collect a fee of \$30.00.

(N) *Storm water regulations (copies)*. For each copy of storm water regulations, the Recorder/Treasurer shall collect a fee of \$30.00.

(O) *Planned unit development*. For each planned unit development submitted, the Recorder/Treasurer shall collect a fee of \$1,150.00.

(P) *Home occupation permit*. For each home occupations permit submitted, the Recorder/Treasurer shall collect a fee of \$100.00.

(Q) *Appeal of Planning Commission decision*. For each appeal of the Planning Commission submitted, the Recorder/Treasurer shall collect a fee of \$400.00.

(R) *Appeal of official decision*. For each appeal of official decision submitted, the Recorder/Treasurer shall collect a fee of \$300.00.

(S) *Certificate of zoning compliance*. For each certificate of zoning compliance submitted, the Recorder/Treasurer shall collect a fee of \$100.00.

(T) *Drainage review*. For each drainage review submitted, the Recorder/Treasurer shall collect a fee of \$300.00.

(U) *Traffic impact review*. For each traffic impact review submitted, the Recorder/Treasurer shall collect a fee of \$230.00.

(V) *Lot splits*. For each plat submittal relating to a lot split, the Recorder/Treasurer shall collect a fee of \$200.00.

(W) *Revisions of plats.* Each revised plat submitted shall be regarded as a new plat and shall be subject to the appropriate fees as required within this section.

(X) *Engineering fees.* The Planning Commission, with the approval of the City Council, reserves the right to retain a disinterested engineer for advice and review purposes concerning any plans submitted. The developer shall be responsible for any and all related expenses.

(Y) *Transfer of fees.* Fees are not transferable or refundable. The Building Official reserves the right to apply prepaid fees to certain lot splits, sketch plans or plat revisions; provided that the revised portions of the lot splits, sketch plans or plats have not been reviewed prior to the submittal of the revision.

(AA) *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/cs/techservices/pdf/BVD200602.pdf. The valuation table is updated every six months to provide an up-to-date "average" construction cost per square foot. The city will use the portion of the table that uses the column described as "IB" for its reference. 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 \$15,000.00, for any valuation of a structure that is from \$3,000.01 to \$15,000.00.

(c) \$97.00 fee for the first \$15,000.00 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 \$15,000.01 to \$50,000.00.

(d) \$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.

(e) \$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.

(f) \$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 the Code of Ordinances of the City of Tontitown, 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 any other Ordinances 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 with a valuation of \$200,000.00 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 \$55.00.

(19) *Electrical permit.* For each electrical permit submitted, the Recorder/Treasurer shall collect a fee of \$55.00.


(20) *Plumbing permit.* For each plumbing permit submitted, the Recorder/Treasurer shall collect a fee of \$55.00.

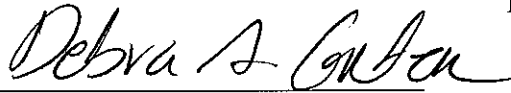
SECTION 3. All provisions of said Section 155.01 not hereby amended shall remain in full force and effect.

SECTION 4. The City Council hereby determines that this Ordinance is necessary to provide for adequate fees relating to the submittal and review of subdivision plats and lot splits

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.

PASSED AND APPROVED THIS 5 DAY OF February, 2008.


MAYOR

ATTEST: 
RECORDER/TREASURER