

ORDINANCE NO.: 2013- 10-446

**AN ORDINANCE AMENDING SECTION 155.01 OF THE CODE OF ORDINANCES FOR THE CITY OF TONTITOWN, ARKANSAS, TO ADD A NEW PERMIT FEE FOR GARAGE SALES WITHIN 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 Section 155.01 of the Code of Ordinances to add section 155.01 (Z)(24) 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:** Section 155.01 (Z)(24) of the Code of Ordinances of the City of Tontitown, Arkansas, is hereby amended to read as follows:

*(Z) Permits.*

*(24) Garage Sale Permit. For each garage sale permit submitted, the Recorder/Treasurer shall collect a fee of \$10.00*

PASSED AND APPROVED THIS 1 day of October, 2013.

  
MAYOR

ATTEST:

  
RECORDER/TREASURER

## CHAPTER 155: FEES

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### Section

#### 155.01 Fees

#### 155.02 Surcharge to applicants for nonresidential permits

#### *Cross-reference:*

*Subdivisions. see Ch. 152*

### **§ 155.01 FEES.**

(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 \$50.00.

(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.

(Z) *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](http://www.iccsafe.org/cs/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 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% (0.10) 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% (0.10) 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% (0.10) 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.* The Water and Sewer Department shall collect fees as follows:

(a) Street Bores: \$12 per inch of bore diameter per linear foot;

(b) Street cuts: \$400 base setup, plus \$18 per linear feet of two foot wide trench, three feet deep. Additional charges will be calculated for larger cuts;

(c) Miscellaneous cost: will be charged as required.

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

(23) *Solicitor/Peddler permit:*

(a) *Permit for Principal Peddler/Solicitor:* No peddling or solicitation shall be conducted within the city without a principal permit being issued. The cost for the principal to obtain a solicitor/peddler's permit is \$40.00, and shall be paid to the city clerk before any peddling or soliciting is conducted within the city. The permit shall expire on December 31 in the year the permit is issued. In addition to the principal's permit, the principal must also comply with the city's business license requirements under Code Section 110.00 et. seq. of the Code of Ordinances of the city. To obtain a permit, a representative of the principal shall provide a written, signed application stating:

(1) The name, address, telephone number, type of organization, and contact person for the principal applicant;

(2) The nature of the products or services involved;

(3) The proposed method of operation in the city;

(4) A list of persons who will peddle or solicit in the city on behalf of the principal in the city.

(b) *Permit for agents of Principal Peddler/Solicitor:* In addition to the principal permit, each peddler or solicitor acting for the principal shall also obtain a permit from the city clerk before peddling or soliciting within the city. The cost to obtain a peddler/solicitor permit is \$5.00 for each agent assisting the principal peddler/solicitor. In applying for the permit, each applicant shall provide the same information as required by the Principal Peddler/Solicitor found in 23(a) of this same subsection.

(c) *Soliciting without a Permit:* The Penalty for violation of soliciting/peddling without a permit shall be punishable pursuant to Code Section 116.99 of the Code of Ordinances for the City of Tontitown.

(d) *Exemptions.* Exemptions for this subsection are provided by Code Section 116.03 of the Code of Ordinances for the City of Tontitown.

(24) *Garage Sale Permit. For each garage sale permit submitted, the Recorder/Treasurer shall collect a fee of \$10.00*~~200.00.~~

#### **§ 155.02 SURCHARGE TO APPLICANTS FOR NONRESIDENTIAL PERMITS.**

(A) Pursuant to the Arkansas Construction Industry Craft Training Act, A.C. § 6-55-101 *et seq.*, it is the intent of the state to promote a coordinated effort between the construction industry and the vocational and technical schools and colleges to enhance the availability and the competence of the work force supporting the industry by instituting a craft training program.

(B) Pursuant to A.C. § 6-55-106, the state requires a surcharge in the amount of \$0.50 per each \$1,000 of construction authorized on any nonresidential construction permit issued by any political subdivision of the state imposed to support the Arkansas Construction Industry Craft Training Program. The maximum surcharge for any construction project permitted shall be \$1,000.

(C) This surcharge is intended to be included in any charges to an applicant for a nonresidential permit and will be reflected in the application for any nonresidential permit.

(D) This surcharge is intended to follow A.C. § 6-55-101 *et seq.*, and will be amended to reflect any amendment to the surcharge found in A.C. § 6-55-106 if said statute is amended.