

RESOLUTION NO. 17 , 2009

**A RESOLUTION ADOPTING THE RECOMMENDATION OF
THE LAND USE FEES COMMISSION**

WHEREAS, it is provided in Section 153.01 of the Montgomery Code of Ordinances that from time to time the Land Use Fees Commission shall review the fees, charges and deposits paid to the municipality with applications for zoning, building and public right-of-way permits and shall recommend revisions thereof to the City Council for review and adoption; and

WHEREAS, the Commission has completed a recent review and has recommended the attached Schedules of Fees to Council for approval.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Montgomery, Ohio, that:

SECTION 1. Upon the recommendation of the Land Use Fees Commission, City Council hereby adopts the Schedule of Fees promulgated by the County Building Department as they now exist or shall hereafter be modified, which schedule is attached hereto as Exhibit "A" and as adopted as if fully rewritten herein. Additionally City Council adopts the recommended Zoning Fees Schedule which is attached hereto as Exhibit "B"; the recommended Development/Site Plan Fees Schedule which is attached hereto as Exhibit "C"; the recommended Subdivision Fees Schedule which is attached hereto as Exhibit "D"; and the recommended Public Right-of-Way Fees Scheduled which is attached hereto as Exhibit "F".

SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: June 3, 2009

ATTEST: Susan J. Hamm
Susan J. Hamm, Clerk of Council

Gerri Harbison
Gerri Harbison, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Law Director

**DEPARTMENT OF
BUILDING INSPECTIONS
HAMILTON COUNTY, OHIO**

**SCHEDULE OF FEES
JANUARY, 2009, EDITION**

Pursuant to S.B.359, a three percent assessment shall be added to all fees pertaining to the acceptance and approval of plans and specifications, and for making of all inspections pursuant to division (E) of Section 3781.102 of the Ohio Revised Code on behalf of the Board of Building Standards for all projects under the OBC. This assessment is in addition to the fees reflected in this Schedule of Fees.

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BUILDING FEE CALCULATION

Fees for permits, inspections, certificates shall be paid to the Building Official as set forth herein. This Fee Schedule shall become effective January 1, 2009, as adopted by the Hamilton County Board of County Commissioners pursuant to Sections 307.37 ORC.

To calculate a fee using a Permit Fee Multiplier, you need the building gross area (total of all floors), type of construction (page 3) and the permit fee multiplier.

FORMULA A: Building Permit and HVAC application combined

$$\text{Permit Fee} = \text{Building Gross Area} \times 98.5 \times \text{Type of Construction} \times \text{Permit Fee Multiplier} \times 1.25 =$$

FORMULA B: Building Permit Only (no HVAC)

$$\text{Permit Fee} = \text{Building Gross Area} \times 98.5 \times \text{Type of Construction} \times \text{Permit Fee Multiplier} =$$

FORMULA C: HVAC Permit Only (no building)

$$\text{Permit Fee} = \text{Building Gross Area} \times 98.5 \times \text{Type of Construction} \times \text{Permit Fee Multiplier} \times .25 =$$

FORMULA D: One and Two and Three Family Residential Building Permit and HVAC application combined

$$\text{Permit Fee} = \text{Building Gross Area} \times \$.17 \text{ (Building Gross Area includes occupied garage, basement, finished or unfinished)}$$

PERMIT USE/TYPE	UNIT PRICE EACH	UP-FRONT	MINIMUM BUILDING FEE	PERMIT FEE MULTIPLIER	CO/CC	TCO	REVISION
BUILDINGS AND STRUCTURES REGULATED BY THE HCBC - 1-2-3 DWELLING UNITS							
BUILDINGS AND STRUCTURES REGULATED BY THE HCBC & RCO (ADD OBBS ASSESSMENT FEE - 1%)							
1. New Dwellings (Formula D)	--	\$268	\$268	--	\$ 38	\$ 90	\$ 90
2. Additions (Formula D) (Includes ductwork only) (To add or replace HVAC units, add fees from line 6)	--	\$268	\$268	--	\$ 38	\$ 90	\$ 90
3. Industrialized Dwellings (Includes all HVAC)	\$233	\$268	--	--	\$ 38	\$ 90	\$ 90
4. Alterations and Fire Repair (To add or replace HVAC units, add fees from line 6) (Total loss by fire or natural disaster reviewed as New Dwelling)	\$ 90 ea. floor	\$180	\$180	--	\$ 38	\$ 90	\$ 90
5. Accessory Structures (over 200 sf)	\$180	\$218	--	--	\$ 38	\$ 90	\$ 90
6. Mechanical Additions & Replacements							
A. Heating or air conditioning	\$ 66	\$ 85	--	--	\$ 19	--	--
B. Combined (includes ductwork)	\$126	\$145	--	--	\$ 19	--	--
7. Decks and Ramps without Roofs (Attached or Detached)	\$135	\$173	--	--	\$ 38	\$ 90	\$ 90
8. Partial Permits (when granted)	\$180	\$199	--	--	\$ 19	--	--
9. Moving	\$180	\$199	--	--	\$ 19	--	--
10. Pools							
A. Above Ground	\$109	\$147	--	--	\$ 38	\$ 90	\$ 90
B. In-Ground	\$268	\$306	--	--	\$ 38	\$ 90	\$ 90
11. Retaining Walls (up to 300 ft.) (301 ft. and above)	\$5.35/lf \$2.73/lf	\$ 90	\$ 90	--	\$ 19	--	\$ 90
12. Towers	\$ 90	\$109	--	--	\$ 19	--	\$ 90
13. Wrecking	\$38/1000 sf TOTAL		\$ 57	--	\$ 19	--	--

SCHEDULE "A"

PERMIT USE/TYPE	UNIT PRICE EACH	UP-FRONT	BUILDING FEE	MINIMUM PERMIT FEE MULTIPLIER	CO/CC	TCO	REVISION
BUILDINGS AND STRUCTURES REGULATED BY THE OBC (ADD OBBS ASSESSMENT FEE - 3%)							
1. New Buildings (Formula A or B)	--	\$446	\$446	.0019	\$127	\$180	\$180
2. Additions (Formula A or B)	--	\$446	\$446	.0019	\$127	\$180	\$180
3. Industrialized (includes all HVAC)	\$233	\$360	--	--	\$127	\$180	\$180
4. Alterations and Fire Repair							
A. Entire building, floor, fire repair alterations (Formula A or B)	--	\$446	\$446	.0043	\$127	\$180	\$180
B. Minor Alterations (as determined by the Building Official)	\$323	\$446	\$446	--	\$127	\$180	\$180
5. Partial Permits (conditional permits)							
A. Footing and foundation	\$356	\$375	--	--	\$ 19	--	\$180
B. Shell (Formula B)	--	\$446	\$446	.0019	\$ 19	--	\$180
C. Interior Build-out of Shell (Formula A or B)	--	\$446	\$446	.0019	\$127	\$180	\$180
6. Utility/Miscellaneous Structure (Formula A or B)	--	\$307	\$180	.0019	\$127	\$180	\$180
7. Awnings, Canopies and Marquees							
A. Light Construction	\$ 90	\$109	--	--	\$ 19	--	\$ 90
B. Heavy Construction	\$180	\$307	--	--	\$127	\$180	\$ 90
8. Decks and Ramps without Roofs (Attached or detached)	\$198	\$325	--	--	\$127	\$180	\$ 90
9. Kitchen Exhaust Hoods	\$46.00/lf	\$180	\$180	--	\$ 19	--	\$ 90
10. Membranes	--	\$268	\$394	.0019	\$127	\$180	\$180
11. Moving	\$180	\$199	--	--	\$ 19	--	--
12. Pools	\$356	\$483	--	--	\$127	\$180	\$ 90
13. Re-Roofing	\$.036/sf	TOTAL	\$251	--	\$ 19	--	--
14. Retaining Walls and Monuments (301 ft. and above)	\$ 5.35/lf \$ 2.73/lf	\$ 90	\$ 90	--	\$ 19	--	\$ 90
15. Signs							
A. Permanent Ground Supported (over 3 sf)	\$180	\$199	--	--	\$ 19	--	\$ 90
B. Wall, Projecting and Roof (over 22 sf)	\$ 73	\$ 92	--	--	\$ 19	--	--
C. Single Sign Face Change (Multiple Face Changes on same site)	\$ 73 \$ 19 ea. add=l.	\$ 92	--	--	\$ 19	--	--
16. Spray Booths	\$145	\$272	--	--	\$127	--	\$ 90
17. Temporary Structures - under 180 days (See Section 624.0)	\$ 90 \$ 19 ea. additional	\$ 90	\$ 90	--	\$127	--	B
18. Tents	\$ 90 \$ 19 ea. additional	\$ 90	\$ 90	--	\$127	--	--
19. Wrecking	\$38/1000 sf	TOTAL	\$ 57	--	\$ 19	--	--
20. Change of Use (No building or mechanical work included)	\$446	\$573	--	--	\$127	--	\$180
21. Gas Line (per meter)	\$ 73	\$ 92	--	--	\$ 19	--	\$ 90
22. Other Building Service Piping (refrigeration lines)	\$ 73	\$ 92	--	--	\$ 19	--	\$ 90
FIRE PROTECTION SYSTEMS, Regulated by the OBC (Add OBBS Assessment Fee)							
1. Inside suppression work-including limited area							
A. New	\$.055/sf	\$183	\$164	--	\$ 19	--	\$ 90
B. Alteration (arm-overs only)	\$.0090/sf	\$183	\$164	--	\$ 19	--	\$ 90
2. Outside Fire Line Work	\$164	\$183	--	--	\$ 19	--	\$ 90
3. Gravity and Pressure Tanks	\$ 90	\$109	--	--	\$ 19	--	\$ 90
4. Fire Pumps	\$ 90	\$109	--	--	\$ 19	--	\$ 90
5. Standpipes - House or FD hose system	\$38/story/standpipe	\$199	\$180	--	\$ 19	--	\$ 90

SCHEDULE "A"

PERMIT USE/TYPE	UNIT PRICE EACH	UP-FRONT	MINIMUM BUILDING FEE	PERMIT FEE MULTIPLIER	CO/CC	TCO	REVISION
FIRE PROTECTION SYSTEMS, Regulated by the OBC (ADD OBBS Assessment Fee)							
6. Hoods - Suppression System Only	\$ 90	\$109	--	--	\$ 19	--	\$ 90
7. Fire Alarms							
A. New							
(Use Groups E, I and R)	\$.018 per sf	\$287	\$268	--	\$ 19	--	\$ 90
(All other Use Groups)	\$.0133 per sf	\$287	\$268	--	\$ 19	--	\$ 90
B. Alterations							
(Use Groups E, I and R)	\$.0133 per sf	\$287	\$268	--	\$ 19	--	\$ 90
(All other Use Groups)	\$.0045 per sf	\$287	\$268	--	\$ 19	--	\$ 90
HEATING, VENTILATION AND AIR CONDITIONING, REGULATED BY THE OBC (Add OBBS Assessment Fee)							
1. HVAC Equipment Replacement Only (Single or Combined Unit)							
A. Includes Ductwork	\$180	\$199	--	--	\$ 19	--	\$ 90
B. Without Ductwork, Unit Only	\$127	\$146	--	--	\$ 19	--	--
C. Ductwork Only	\$127	\$146	--	--	\$ 19	--	--
2. New/Additions/Alterations (Formula C)	--	\$199	\$180	.0019	\$ 19	--	\$ 90
3. Alterations to Buildings (Formula C)	--	\$199	\$180	.005	\$ 19	--	\$ 90

TYPE OF CONSTRUCTION FACTOR

USE GROUP	TYPE OF CONSTRUCTION FACTOR *									
	1A	1B	2A	2B	3A	3B	4	5A	5B	
A-1 Assembly, theaters	1.78	1.73	1.69	1.60	1.51	1.50	1.56	1.40	1.36	
A-2 Assembly, nightclubs, restaurants, bars, banquet halls	1.27	1.23	1.20	1.13	1.05	1.05	1.09	0.96	0.93	
A-3 Assembly, churches, general, community halls, libraries, museums	1.60	1.55	1.51	1.42	1.33	1.32	1.38	1.22	1.18	
A-4/A-5 Assembly, arenas	1.25	1.22	1.17	1.11	1.03	1.03	1.08	0.93	0.91	
B Business	1.20	1.15	1.11	1.04	0.93	0.93	1.00	0.82	0.79	
E Educational	1.28	1.23	1.20	1.13	1.04	1.01	1.08	0.91	0.88	
F-1 Factory and industrial, moderate hazard	0.76	0.73	0.68	0.64	0.55	0.57	0.62	0.47	0.45	
F-2 Factory and industrial, low hazard	0.75	0.71	0.68	0.63	0.55	0.55	0.61	0.47	0.43	
H-1 High Hazard, explosives	0.73	0.70	0.66	0.61	0.54	0.54	0.59	0.45	N.P.	
H-2 -H-4 High Hazard	0.73	0.70	0.66	0.61	0.54	0.54	0.59	0.45	0.42	
H-5 HPM	1.20	1.15	1.11	1.04	0.93	0.93	1.00	0.82	0.79	
I-1 Institutional, supervised environment	1.22	1.17	1.14	1.07	0.99	0.99	1.07	0.90	0.87	
I-2 Institutional, incapacitated	1.77	1.73	1.69	1.62	1.50	N.P.	1.57	1.39	N.P.	
I-3 Institutional, restrained	1.39	1.34	1.30	1.23	1.13	1.11	1.19	1.02	0.96	
I-4 Institutional, day care facilities	1.22	1.17	1.14	1.07	0.99	0.99	1.07	0.90	0.87	
M Mercantile	0.97	0.93	0.88	0.83	0.74	0.75	0.79	0.65	0.63	
R-1 Residential, hotels/motels	1.32	1.28	1.25	1.18	1.10	1.09	1.17	1.01	0.97	
R-2 Residential, multiple family	1.11	1.06	1.03	0.97	0.89	0.88	0.96	0.80	0.76	
R-3 & IRC Residential, one- and two-family	0.92	0.89	0.86	0.82	0.78	0.78	0.81	0.73	0.68	
R-4 Residential, care/assisted living facilities	1.22	1.17	1.14	1.07	0.99	0.99	1.07	0.90	0.87	
S-1 Storage, moderate hazard	0.72	0.68	0.63	0.60	0.51	0.52	0.58	0.43	0.41	
S-2 Storage, low hazard	0.71	0.67	0.63	0.59	0.51	0.51	0.56	0.43	0.39	
U Utility/Miscellaneous	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	

HAMILTON COUNTY ADMINISTRATIVE FEES

1. Certificate of Occupancy (CO) where required
 - A. Buildings and structures regulated by the HCBC \$ 38
 - B. Buildings and structures regulated by the OBBC \$127
- Certificate of Completion of Permit (CC) - for all permits where a CO is not required \$ 19
2. Certificate of Temporary Occupancy (TCO)
 - A. Buildings and structures regulated by the HCBC \$ 90
 - B. Buildings and structures regulated by the OBBC \$180
3. Refund of Permit Fee (Section HC.A108.4). If granted, shall be in the amount of half the entire permit fee, after deducting the Up-Front Fee and the Zoning Certificate Fee.
4. Time Extensions (Section HC.A105.6) each \$ 90
5. Unspecified Permit Fee - for any permit type, not specifically listed in this Fee Schedule, the fee shall be calculated to the most similar permit type, use group and type of construction to be determined at the discretion of the Building Official.
6. For Permit Applications reviewed under OBBC for paper documents submitted without a digital copy in an approved format
 - CADD prepared documents, larger than 82 x 11 (B) size \$ 5.35/sheet
 - CADD prepared documents, up to 82 x 14 \$ 1.83/side
 - \$ 1.83/side
7. Field Inspection and Processing Fee (non building permit related) (as required by State of Ohio licensing \$127
8. After Hours Inspection (OBC Permits) \$360/min.
Upfront \$90/hour

HAMILTON COUNTY PENALTY FEES

1. Starting Without a Permit - (See Section HC.A105.1.1)
 - \$180.00 or the Fee x 2, whichever is greater
2. Rescinding a Revoked Permit Fee - (Section HC.A110.6)
 - \$268.00 or original fee, whichever is less
3. Missed Inspection Fee - Failure to schedule A called-for inspection before proceeding to cover the work shall result in a Missed Inspection Fee \$ 90
4. Reinspection Fee - Not Ready and Failed Inspections shall result in a Reinspection Fee \$ 90
5. Violations Penalties (Section HC.A113)
 - Violations issued under the Code shall be punishable by a fine of not more than \$300.00 for each offense as provided in Ohio Revised Code Section 307.37 and 307.99(C).
 - Violations issued for offenses to ORC Chapters 3781 and 3791 shall not be more than \$1000.00
 - Each day that any such violation or failure continues shall be deemed a separate offense.

CITY OF MONTOMGERY
ZONING FEE SCHEDULE
SCHEDULE B

New Single-Family Residential, Two Phase Review	\$400
New Single-Family Residential, Three Phase Review	\$550
New Additions (under 400 sf)	\$50 Previously \$40, adjusted to be in line with other communities
New Additions (over 400 sf), Two Phase Review	\$250 Previously \$40, adjusted to account for CDS review costs
Accessory Building (under 200 sf)	
Accessory Building (over 200 sf)	\$40
New Office, Commercial Building	Tables A & B of Schedule C* + 100 + \$2/notified property when hearing is required
Addition to Office, Commercial Building	Tables A & B of Schedule C* + \$100 + \$2/notified property when hearing is required
Site Improvements (non-building): Office, Retail & Institutional	Tables B of Schedule C* + \$100 + \$2/notified property when hearing is required
Swimming Pool, no engineering review	\$50 Previously \$40, adjusted to be in line with other communities
Swimming Pool, Two Phase Review	\$250 Previously \$40, adjusted to account for CDS review costs
Other Recreational Uses/Structures	\$30
Tents	\$30
Certificate of Approval (Heritage Overlay District, excluding signs)	\$40
Demolition Permits	\$50/1000 square feet
Variance/Appeal Single Family & Two Family Residential	\$250 + \$2/notified property
Variance/Appeal MF, Office, Retail, Institutional & Consideration of Non-conforming Use	\$400 + \$2/notified property
Variance/Appeal: Signs	\$200
Zoning Change	\$300/parcel + \$100/acre + \$2/notified property
Conditional Use Permit	\$250 + Tables A & B of Schedule C
Subdivisions	Schedule D
Signs	\$24 + \$1.50/square foot
Fees for Heritage Overlay District site plan review-single lot residential	\$100 Previously left off schedule, adjusted to account for staff time

*When the combined site review fees by the City Engineer for storm water detention, erosion control and traffic analysis exceed 75% of the fees established by the fee schedule, the fee shall be increased to reflect 100% of this additional cost.

SCHEDULE "C"

CITY OF MONTGOMERY DEVELOPMENT DEPARTMENT SCHEDULE OF FEES SCHEDULE C: DEVELOPMENT/SITE PLAN

Development/Site Plan Review

For projects where *no buildings* are involved, i.e., parking lots, parking improvements, drainage, buffers/setbacks, etc., Table B below, shall be used for computing filing and review fees.

For projects *involving buildings*, filing and review fees shall be computed on the basis of both Tables A and B.

TABLE A – FLOOR/AREA/FEE COMPUTATION

<u>Gross Building Floor Area</u>	<u>Fees</u>
25 to 200 sq. ft.	\$80
201 to 1,000 sq. ft.	\$160
1,001 to 3,000 sq. ft.	\$280
3,001 to 5,000 sq. ft.	\$440
5,001 to 10,000 sq. ft.	\$640
10,001 to 15,000 sq. ft.	\$940
15,001 to 20,000 sq. ft.	\$1,340
20,001 to 30,000 sq. ft.	\$1,940
30,001 to 50,000 sq. ft.	\$2,740
Over 50,001 sq. ft.	\$3,740 + \$20/add'l 1,000 sf

TABLE B – SITE AREA*/FEE COMPUTATION

<u>Gross Site Area</u>	<u>Fees</u>
0 – ¼ acres	\$250 previously \$200
¼ - ½ acres	\$325
½ - ¾ acres	\$425
¾ - 1 acres	\$520
1 – 2 acres	\$860
2 – 3 acres	\$1,200
Over 3 acres	\$1,200 + \$200/add'l acre

*Site area is defined as the portion of the property that will be subject to any type of construction/alteration. This includes removal or installation of vegetation and landscaping, grading, excavating and construction of new structures, as well as replacing or upgrading existing structures and pavement. It does not include the portions of a site which are undisturbed. Site area was previously not defined and was left to the discretion of the Zoning Administrator.

SCHEDULE "D"

CITY OF MONTGOMERY DEVELOPMENT DEPARTMENT SCHEDULE OF FEES SCHEDULE D – SUBDIVISIONS

Subdivision Review & Processing Fees

Charges cover the required review and processing. The fees in this schedule do not include the required fees for inspection of improvements. These fees are shown in the Service Director's Office fee schedule.

1. **General Development Plan**
(Engineering and planning review)

Filing and Review Fee (non-refundable)	\$100 per lot
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2. **Final Development Plan**
(Engineering and planning review)

Filing and Review Fee (non-refundable)	\$150 per lot
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3. Record Plat/Final Plat
(Engineering and planning review)

Filing and Review Fee (non-refundable)	\$50 per lot
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4. Parcel Cut-Up/Subdivision Less Than Five (5) Lots
(Engineering and planning review)

Filing and Review Fee (non-refundable)	\$150 per lot
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5. Revisions by Applicant to Approved Plans

Requiring Planning Commission Review	\$75 per lot
Requiring Staff Review	\$40 per hour

6. **Planned Unit Development, Single/Multi-Family Residential**
(Engineering and planning review)

Filing and Review Fee	Use #1-3 above
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7. **Planned Unit Development, Commercial, Mixed Use, Cluster Development**
(Engineering and planning review)

Filing and Review Fee	Tables A & B of Schedule C
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SCHEDULE "F"

City of Montgomery

Schedule F: Public Right-of-Way Fees

Description	Current Fee	Proposed Fee
1. Driveway (entrance) (residential) including inspection	\$15.00	\$30.00
2. Driveway (entrance) (commercial) including inspection	\$48.50	\$50.00
3. Excavations (repair/improvements) in see public right-of-way including inspection	\$7.50	\$30.00
4. Excavations in pavement including inspection	\$32.50	\$50.00 plus \$10,000 bond
5. Tunneling (in addition to items 3, 4, and 5) including inspection	\$32.50	\$50.00
6. Excavations in sidewalk including inspection	\$10.00	\$30.00
7. Construction of a street intended for dedication to public use excluding inspection	\$25.00	\$25.00
8. For projects requiring a performance and maintenance bond (all projects over \$500.00, as estimated by the City, and all projects within the roadway including curbs) and additional cost of inspection shall be paid	\$10.00 / \$1000.00 of total estimated cost	\$10.00 / \$1000.00 of total estimated cost
9. For work performed by the City of Montgomery, equipment and vehicle rates will be calculated per current FEMA rates. Labor will be based on actual costs to the City of Montgomery.		