

ORDINANCE #1540

**AN ORDINANCE TO AMEND TITLE 12 BUILDING, UTILITY, ETC. CODES,
CHAPTER 1 BUILDING CODE SECTION 12-103 PERMIT FEES OF THE DICKSON
MUNICIPAL CODE TO ADOPT AN UPDATED FEE SCHEDULE**

WHEREAS, in Ordinance #1457 adopted as amended December 2, 2019, the Dickson City Council adopted the 2018 International Code Council codes for construction and development of property; and

WHEREAS, the City Council wishes to adopt an updated schedule of fees associated with construction and development of property, demolition of property, grading, engineering and other related services provided by the City;

Now, therefore, **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DICKSON, TENNESSEE**, that

SECTION 1. Title 12 Building, Utility, Etc. Codes, Chapter 1 Building Codes, Section 12-103 Permit Fees be deleted in its entirety and replaced with the new Section 12-103 Permit Fees adopting Fees Appendix L with additional fees and exceptions attached as exhibits hereto.

SECTION 2. Title 12 Building, Utility, Etc. Codes, Chapter 6 Excavation and Grading Code, Section 12-606 Fees is amended to read:

12-606. **Fees.** Fees for grading permits shall be assessed at:

- (a) Residential: two (2) cents per square foot of developed area up to a maximum of five thousand dollars (\$5,000.00);
- (b) Commercial: two (2) cents per square foot of developed area up to a maximum of eight thousand dollars (\$8,000.00);
- (c) Industrial: two (02) cents per square foot of developed area up to a maximum of fifteen thousand dollars (\$15,000).

SECTION 3. This ordinance shall take effect after its passage on second and final reading, the public welfare requiring same.

ATTEST:


Chris Norman, RECORDER


Don L. Weiss Jr., O.D., MAYOR

Public Hearing: Aug. 7, 2023
Passed First Reading: Aug. 7, 2023
Passed Second Reading: Oct. 2, 2023

12-103. **Permit fees.** The recommended schedule of permit fees set forth in Appendix “L” of the 2018 edition of the International Code Council with the additions and exceptions listed herein is hereby adopted as the city’s permit fee schedule. The most current building valuation data published by International Code Council shall be used for evaluations.

- 1) Demolition fee. For the demolition of any one- or two-family residential building or accessory structures, the fee shall be one hundred dollars (\$100.00). All other structures shall be two hundred fifty dollars (\$250.00).
- 2) Re-inspection fee. A re-inspection fee of fifty dollars (\$50.00) will apply to anyone that fails any required inspection on all phases of construction.
- 3) Grading permit fees. Fees for grading permits shall be assessed at:
 - (a) Residential: two (2) cents per square foot of developed area up to a maximum of five thousand dollars (\$5,000.00);
 - (b) Commercial: two (2) cents per square foot of developed area up to a maximum of eight thousand dollars (\$8,000.00);
 - (c) Industrial: two (02) cents per square foot of developed area up to a maximum of fifteen thousand dollars (\$15,000).
- 4) Administrative fees:
 - (a) Change of Occupancy Use/In-House Floor Plan Approval \$100.00
 - (b) Administrative Review (i.e. Design Review) \$100.00
 - (c) Temporary Certificate of Occupancy Permit Request \$50.00
 - (d) In-House Review/Pre-Planning/New Development \$100.00
 - (e) Plans Review/Fire Marshal Review/Life Safety Review 10% of permit (TBA)
- 5) Board of Zoning Appeals fees:
 - (a) Variance Application \$150.00
 - (b) Administrative Review \$150.00
 - (c) Late Filing or Special Called Meeting* \$300.00

* subject to approval of BZA/PC Chair or City Administrator
- 6) Municipal Planning Commission fees:
 - (a) Rezoning Request \$200.00
 - (b) Late Filing or Special Called Meeting* \$400.00

* subject to approval of Planning Commission Chair or City Administrator
- 7) Municipal Planning Commission Site Plan/Design Review fees:
 - (a) Site Plan Approval \$250.00
- 8) Subdivision of Property (subject to Municipal Planning Commission review):
 - (a) Includes Preliminary/Final \$250.00
 - (b) Amendment to Final \$150.00
 - (c) 1-10 Lots \$75.00 per lot
 - (d) Over 10 lots \$800.00
- 9) Subdivisions or Site Plans Requiring Review of Road Plans, Grading Plans and/or Stormwater Plans (per development):
 - (a) 0-5 Acres \$600.00
 - (b) 5-10 Acres \$1,000.00
 - (c) Over 10 Acres \$1,200.00
- 10) Changes to Plans after approval of such plans shall be billed on an hourly basis for review by the City Engineer at: \$100.00/hour
- 11) Developments within a floodplain subject to additional review: \$4,000.00

12) Work commencing before permit(s) issuance.

Any person who commences work requiring a permit on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permit(s) shall be subject to a penalty established by the applicable governing authority that shall be in addition to the required permit fees (ICC R108.6). The penalty for commencing work without the required permit(s) shall be an amount equivalent to the permit(s) required for the type of work being performed and shall be paid in full prior to the issuance of the required permit(s) along with the permit fee(s). Upon notification of work requiring a permit(s), all such work shall cease until such time as the required permit(s) is(are) issued. Work that continues without the required permit(s) following notification that a permit(s) is(are) required shall constitute a separate violation for each day that work is performed and shall be subject to an additional penalty equivalent to the required permit(s) for each violation. The penalty for commencing work without the required permit(s) may be appealed to the Administrative Hearing Officer. An appeal must be filed in writing to the Office of Planning and Zoning within ten (10) business days of notification of the penalty being assessed. An appeal hearing shall be conducted by the Administrative Hearing Officer, or, in the event he is unavailable or recuses himself due to conflict, the City Administrator, within ten (10) business days of receipt of the appeal. Decisions of the Administrative Hearing Officer/City Administrator may be appealed to a court of competent jurisdiction within ten (10) business days of notification of the hearing officer's ruling. Upon an appellant prevailing on appeal with an Administrative Hearing Officer/City Administrator or in a competent court, the Office of Planning and Zoning shall refund or rescind all or any portion of the penalty(ies) as ordered.

Additional reviews may be requested on any project at the discretion of the Director of Planning and Zoning.

A redesign of any previously approved plan(s) for any project may result in an additional review fee or be reviewed by the City Engineer at the established hourly rate at the discretion of the Director of Planning and Zoning.

All fees are non-refundable unless withdrawn more than seventy-two (72) hours prior to the meeting in which said plans are to be reviewed.

APPENDIX L

PERMIT FEES

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

User Note:

About this appendix: Appendix L is intended to provide guidance to building departments in their efforts to set fees for building permits. This appendix provides examples that may be used as a reference when setting fee schedules and are not intended to be literally applied.

<u>TOTAL VALUATION</u>	<u>FEE</u>
\$1 to \$500	\$24
\$501 to \$2,000	\$24 for the first \$500; plus \$3 for each additional \$100 or a fraction thereof, up to and including \$2,000
\$2,001 to \$40,000	\$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, up to and including \$40,000
\$40,000 to \$100,000	\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, up to including \$100,000
\$100,001 to \$500,000	\$1027 for the first 100,000; plus \$7 for each additional \$1,000 or fraction thereof, up to and including \$500,000
\$500,001 to \$1,000,000	\$3827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000
\$1,000,001 to \$5,000,000	\$6327 for the first 1,000,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$5,000,000
\$5,000,001 and over	\$18,327 for the first \$5,000,000; plus \$1 for each additional \$1,000 or fraction thereof.