

ORDINANCE NO. 15-2009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING CHAPTER 16.90 OF THE ELK GROVE MUNICIPAL CODE RELATIVE TO CONSTRUCTION PERMIT FEES

The City Council of the City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The purpose of this ordinance is to amend Chapter 16.90 of the Elk Grove Municipal Code as shown in Section 3 below. This Ordinance is authorized by Article 11, Section 7 of the California Constitution.

Section 2: Findings

Finding: The proposed adoption of the amendment to the Municipal Code is in the public interest.

Evidence: The City has reviewed the proposed amendment to Chapter 16.90, reviewed the staff report, and has received public testimony at a duly noticed public meeting regarding the matter. The increase in fee rates is specifically intended to resolve a deficit within the Building Department's budget, which the City expects will result in positive benefits by negating the need for a General Fund subsidy.

Section 3: Amendment

The City Council hereby amends Chapter 16.90 of the Elk Grove Municipal Code to read as follows:

Chapter 16.90

CONSTRUCTION PERMIT FEES

Sections:

16.90.010 Intent.

16.90.020 Permit fees.

16.90.030 Fee schedule.

16.90.010 Intent.

It is the intent of the City Council to group the fees required for various permits, associated with the construction process, into one fee schedule as contained in this chapter.

16.90.020 Permit fees.

- A. The fee for each permit shall be as prescribed in EGMC Section 16.90.030.
- B. The determination of value or valuation under any of the provisions of this code shall be made by the Building Official. The value to be used in computing the permit fee shall be the greater of: 1) the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire extinguishing systems, and any other permanent equipment; or 2) the total value of all construction work calculated using the City’s current schedule of Building Valuation Data. Valuation for buildings greater than two hundred thousand (200,000 ft²) square feet may be determined by the Building Official.
- C. The new permit fee schedule will apply to all permit applications received on or after the effective date of the new permit fee ordinance.

Plans submitted for plan review prior to the effective date of the new permit fee ordinance may be issued under the old permit fee schedule for ninety (90) days. After the ninety (90) day grace period, all permits will be issued under the new permit fee schedule.

16.90.030 Fee schedule.

The construction permit fee schedule shall be as follows:

- A. Permit Fees.* New buildings, additions, alterations, fill-ins, tenant improvements, remodels, fire repairs, solar, and other structures requiring a plan review.

* Total permit fee.

- 1. Permit Fees for New Group R, Division 3 and U or S Occupancies Accessory to Residential/Agricultural Use.

Total Valuation	Fee
\$1.00 to 2,000	\$270.25
\$2,001 and greater	\$270.25 + (0.00759 x valuation* exceeding \$2,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

2. Permit Fees for the Remodel of, Additions to, and/or Window replacements for Group R, Division 3 and U or S Occupancies Accessory to Residential/Agricultural Use.

Total Valuation	Fee
\$1.00 to 2,000	\$188.60
\$2,001 to 20,000	\$188.60 + (0.0184 x valuation* \$2,000 to \$20,000)
\$20,001 and greater	\$519.80 + (0.0092 x valuation* exceeding \$20,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

3. Permit Fees for Buildings Other Than Group R, Division 3 and U or S Occupancies Accessory to Residential/Agricultural Use.

Total Valuation	Fee
\$1.00 to 1,000	\$333.50
\$1,001 to 2,000	\$542.80
\$2,001 to 50,000	\$542.80 + (0.0207 x valuation* \$2,001 to \$50,000)
\$50,001 to 500,000	\$1,536.40 + (0.01725 x valuation* \$50,001 to \$500,000)
\$500,001 and greater	\$9,298.90 + (0.0092 x valuation* exceeding \$500,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

B. Plan Review Fee. Upon submittal of a plan for plan review, a plan review fee, forty (40%) percent of the total permit fee, shall be collected. When the permit is issued, the balance of the total permit fee is due.

C. Zone Check Fee. Upon submittal of a plan for plan review, a zone check fee, thirteen percent (13%) of the total Plan Review Fee, shall be collected.

D. Permit Fees.

* Total permit fee.

1. Carports, Decks, Patio Covers, Fences, Reroof, Demolitions, Fire Repairs, Solar, and Other Structures not Requiring a Plan Review.

Total Valuation	Fee
\$1.00 to 1,000	\$64.40
\$1,001 to 10,000	\$64.40 + (0.0184 x valuation* \$1,000 to \$10,000)

\$10,001 and greater	and	$\$230.00 + (0.0092 \times \text{valuation}^* \text{ exceeding } \$10,000)$
----------------------	-----	---

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

2. Carports, Decks, Patio Covers, Fences, Private Garages, Roof Repitches, Fire Repairs, Solar, and Other Structures Requiring a Minimal Plan Review.

Total Valuation	Fee
\$1.00 to 1,000	\$127.65
\$1,001 to 10,000	$\$127.65 + (0.0184 \times \text{valuation}^* \text{ \$1,000 to } \$10,000)$
\$10,001 and greater	$\$293.25 + (0.0092 \times \text{valuation}^* \text{ exceeding } \$10,000)$

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

E. Miscellaneous Plumbing Permit Fees.

Total Valuation	Fee
\$1.00 to 1,000	\$64.40
\$1,001 to 10,000	$\$64.40 + (0.0184 \times \text{valuation}^* \text{ \$1,000 to } \$10,000)$
\$10,001 and greater	$\$230.00 + (0.0092 \times \text{valuation}^* \text{ exceeding } \$10,000)$

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

F. Miscellaneous Electrical Permit Fees.

Total Valuation	Fee
\$1.00 to 1,000	\$64.40
\$1,001 to 10,000	$\$64.40 + (0.0184 \times \text{valuation}^* \text{ \$1,000 to } \$10,000)$
\$10,001 and greater	$\$230.00 + (0.0092 \times \text{valuation}^* \text{ exceeding } \$10,000)$

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

G. Miscellaneous Mechanical Permit Fees.

Total Valuation	Fee
\$1.00 to 1,000	\$64.40
\$1,001 to 10,000	$\$64.40 + (0.0184 \times \text{valuation}^* \text{ \$1,000 to } \$10,000)$

\$10,001 and greater	and	\$230.00 + (0.0092 x valuation* exceeding \$10,000)
----------------------	-----	---

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

H. Sign Permit Fees.*

* Total permit fee.

1. Permit Fee for Illuminated Signs (All Types).

Total Valuation	Fee
\$1.00 to 1,000	\$127.65
\$1,001 to 10,000	\$127.65 + (0.0184 x valuation* \$1,000 to \$10,000)
\$10,001 and greater	\$293.25 + (0.0092 x valuation* exceeding \$10,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

2. Permit Fee for Nonilluminated Signs (Free Standing).

Total Valuation	Fee
\$1.00 to 1,000	\$64.40
\$1,001 and greater	\$64.40 + (0.0092 x valuation* exceeding \$1,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

3. Permit Fee for Nonilluminated Signs (Wall/Appendage).

Total Valuation	Fee
\$1.00 to 1,000	\$47.15
\$1,001 and greater	\$47.15 + (0.0092 x valuation* exceeding \$1,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

I. Swimming Pool/Spa Permit Fees.*

* Total permit fee.

1. Permit Fee for Private Pool.

Total Valuation	Fee
\$1.00 to 1,000	\$132.25

\$1,001 to 10,000	\$132.25 + (0.0184 x valuation* \$1,000 to \$10,000)
\$10,001 and greater	\$297.85 + (0.0092 x valuation* exceeding \$10,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

2. Permit Fee for Public Pool.

Total Valuation	Fee
\$1.00 to 1,000	\$271.40
\$1,001 to 10,000	\$271.40 + (0.0184 x valuation* \$1,000 to \$10,000)
\$10,001 and greater	\$437.00 + (0.0092 x valuation* exceeding \$10,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

3. Permit Fee for Separate Private or Public Spa.

Total Valuation	Fee
\$1.00 to 2,000	\$242.65
\$2,001 and greater	\$242.65 + (0.0092 x valuation* exceeding \$2,000)

* Rounded up to the next multiple of One Thousand and no/100^{ths} (\$1,000.00) Dollars.

J. Mobile Home Installation Permit Fees.

1. Application filing fee: Twenty and no/100^{ths} (\$20.00) Dollars;
2. Installation permit fee: One Hundred and no/100^{ths} (\$100.00) Dollars, provided the inspection is not more than one hour, plus Thirty and no/100^{ths} (\$30.00) Dollars for each thirty (30) minutes or fraction in excess of one (1) hour;
3. Reinspection fee: Sixty and no/100^{ths} (\$60.00) Dollars, provided the reinspection is not more than one (1) hour, plus Thirty and no/100^{ths} (\$30.00) Dollars for each thirty (30) minutes or fractional part in excess of one (1) hour.

K. Temporary Mobile Home or Travel Trailer. Permit fees for owner-occupied mobile home or travel trailer used temporarily during dwelling construction:

1. Application filing fee: Twenty-three and no/100^{ths} (\$23.00) Dollars;

2. Installation permit fee: One Hundred Fifteen and no/100^{ths} (\$115.00) Dollars, provided the inspection is not more than one (1) hour, plus Thirty-four and 50/100^{ths} (\$34.50) Dollars for each thirty (30) minutes or fractional part in excess of one (1) hour;

3. Reinspection fee: Sixty-nine and no/100^{ths} (\$69.00) Dollars, provided the reinspection is not more than one (1) hour, plus Thirty-four and 50/100^{ths} (\$34.50) Dollars for each thirty (30) minutes or fractional part in excess of one (1) hour.

L. Building Compliance Inspection Fee. Building compliance inspection fees shall be a minimum of One Hundred Fifteen and no/100^{ths} (\$115.00) Dollars, not to exceed Two Hundred Eighty-seven and 50/100^{ths} (\$287.50) Dollars, based on the extent and type of inspection, to be determined by the Building Official.

M. Inspection of a Building to be Moved – Fee.

1. Application and inspection fee: Two Hundred Eighty-seven and 50/100^{ths} (\$287.50) Dollars;

2. When the application indicates that the building is to be moved from a location outside of the City of Elk Grove, the applicant shall pay an additional fee based on Fifty-seven and 50/100^{ths} (\$57.50) Dollars per hour plus the cost per mile using the current IRS Standard Mileage Rate to defray costs accrued outside of the City of Elk Grove.

N. Other Inspections and Fees.

1. Inspection outside of normal business hours:* See current labor rate schedule;

* Minimum charge: Three (3) hours.

2. Inspections for which no fee is specifically indicated: See current labor rate schedule;

3. Each reinspection: One Hundred Fifteen and no/100^{ths} (\$115.00) Dollars;

4. Administrative fee, temporary certificate of occupancy: One Hundred Fifteen and no/100^{ths} (\$115.00) Dollars;

5. Issuance of duplicate certificate of occupancy: Forty-six and no/100^{ths} (\$46.00) Dollars;

6. Permit research letter: See current labor rate schedule;

7. Additional plan review required by changes, additions, or revisions to approved plans:* See current labor rate schedule;

* Minimum charge: One-half (0.5) hour.

8. Plan review for miscellaneous permits:* See current labor rate schedule;

* Minimum charge: One-half (0.5) hour.

9. Preapplication building reviews: Directly billed based upon labor charges;
10. Unfinished permit investigations:* Directly billed based upon labor charges;
* Minimum charge: One-half (0.5) hour.
11. Expedited plan reviews: Normal plan review fees plus costs or directly billed based upon labor charges;
12. UBC lot line waiver: Directly billed based upon labor charges;
13. Filing fee for Building Board of Appeals: Two Hundred and no/100^{ths} (\$200.00) Dollars;
14. All provisions related to residential photovoltaic solar system permit fees as found in EGMC Section 16.90.030 are suspended for the 2007 – 2009 calendar years.
15. Abatement of Building Code Violation(s): Directly billed based upon labor charges plus all other associated costs to abate the violation including, but not limited to, fencing, board-up, repair, demolition, mailings, postings, recordings, appeals, hearing officer costs, inspection warrants, attorneys' fees, administrative costs, and collection costs.

Section 4: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

ORDINANCE: 15-2009
INTRODUCED: July 8, 2009
ADOPTED: July 22, 2009
EFFECTIVE: August 21, 2009



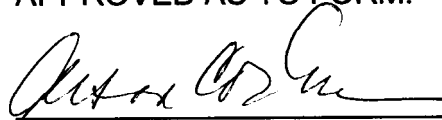
PATRICK HUME, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, ASSISTANT CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

Date signed: July 29, 2009

**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 15-2009**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, Assistant City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on July 8, 2009 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 22, 2009 by the following vote:


AYES : **COUNCILMEMBERS:** *Hume, Scherman, Cooper, Davis, Detrick*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*

A summary of the ordinance was published pursuant to GC 36933(c) (1).



**Jason Lindgren, Assistant City Clerk
City of Elk Grove, California**