

ORDINANCE NO. 34-2012

**TITLE: AMEND BARBERTON CODIFIED ORDINANCES
CHAPTER 1444 – PERMITS AND FEES – BUILDING**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 1444,
“PERMITS AND FEES,” TO REFLECT INCREASES FOR BUILDING,
ELECTRIC, PLUMBING, HVAC, AND OTHER MISCELLANEOUS PERMITS,**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
Barberton, State of Ohio:

SECTION 1. That certain sections of Chapter 1444, “Permits and Fees,” of the
Barberton Codified Ordinances be amended to reflect increases for Building, Electric,
Plumbing, HVAC, and other miscellaneous permits, by showing deletions using a
~~strike through~~ and additions in **bold print**, and which now reads as follows:

**CHAPTER 1444
PERMITS AND FEES**

Section 1444.15 GENERAL PERMIT FEES.

(a) No permit for which a fee is required by this Building Code shall be issued
until the applicant for the permit has paid to the Building Commissioner, or to the person
otherwise designated by this Building Code, the fees hereinafter prescribed. Fees shall be
calculated to the nearest dollar (\$1.00).

(b) Each applicant for a permit shall make a sworn statement or affirmation in
writing, setting forth, in accordance with a bona fide estimate, the total value of the
proposed building, structure, addition, alteration, repair or installation, including the cost of
any and all plumbing, electrical, heating and other mechanical equipment, devices,
appliances, materials, etc., which will be incorporated therein, and also the value of all
labor, regardless of who is to do the work or make the installations.

(c) The fee for a permit for a new building, structure, appliance or installation;
the fee for a permit for an addition, alteration or repair to an existing building, structure,
appliance or installation; the fee for a permit to move or raze a building or structure; the fee
for a special inspection; and penalties for noncompliance shall be the amounts stated or
determined as follows:

- (1) One, two and three-family residential occupancies.

New dwellings	\$210.00	\$230.00 – 2000 sq. ft. or less;
		\$260.00 – over 2000 sq. ft.
- (2) Commercial, industrial and multi-family.

New structure		\$365.00 min. base or;
		\$0.05 per sq. ft.
- (3) Additions, Alterations, Repairs and Foundations.
 - A. One, two, and three-family residential

	\$80.00	\$135.00 min. base or;
		\$0.05 per sq. ft.
 - B. Commercial, Industrial and Multi-family

		\$210.00 min. base or;
		\$0.08 per sq. ft.
 - C. Minor alteration or repair (residential)
to include front stoops \$500.00 or less

	\$30.00	\$ 40.00
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 - D. Minor alteration or repair (commercial)
 \$1,000.00 or less ~~\$80.00~~ **\$100.00**

- E. Foundation or Shell only
 - 1. Commercial \$160.00 plus new structure fee
 - 2. Residential \$ 30.00 plus new structure fee
- F. Residential Garages ~~\$55.00~~ **\$100.00** (max. 770 sq. ft.)
- G. Storage sheds or barns - residential
less than 144 sq. ft. ~~\$25.00~~ **\$ 50.00**
- H. Fences, **Retaining Walls** over 3 ft. high
 - 1. Solid \$ 40.00
 - 2. Decorative \$ 25.00
 - 3. Repair or Replace
(less than 50%) \$ 15.00
- I. Re-siding, re-covering or re-roof
(non-structural) ~~\$55.00~~ **\$ 60.00**
Meter Re-attachment Inspection
Fee: \$ 15.00
- J. Swimming Pools
 - 1. Residential \$ 55.00
 - 2. Commercial \$500.00
- K. Decks, Front Porches ~~\$40.00~~ **\$ 55.00**
Front porches greater than 60 sq. ft. require a roof
and fee shall be as provided in (3) A.
- L. **Certificate of Occupancy \$100.00**

(4) Any structures, additions, unclassified buildings or unspecified construction shall have fees provided in Section 3 (A) for residential and 3 (B) for commercial.

(5) Signs and outdoor advertising displays. The fee for a permit to erect, re-erect, alter, repair, place, replace, hang, re-hang, locate, relocate or in any manner, display or redisplay a sign or outdoor advertising display shall be based on the total superficial area (including moldings and cappings) as follows:

- A. All signs requiring a permit per the Development Code:
\$ 2.00 per sq. ft.
- B. Billboards and Advertising displays:
\$315.00 Annual Fee per
billboard or display
- C. Awnings, canopies and marquees (except residential)
\$100.00 plus any signage

(6) Plans examination fees. The fees for examination of plans for the use groups applicable to the Ohio Building Code shall be as follows (All plan review fees shall be paid at the time of permit application):

Type of Construction Documents	Processing Fee	Plan Examination Fee
Structural	\$200.00	\$7.50/100 sq. ft. gross area of each floor level
Mechanical	\$200.00	\$4.50/100 sq. ft. gross area of each floor level
Electrical	\$200.00	\$4.50/100 sq. ft. gross area of each floor level
Fire Alarm Systems	\$200.00	\$4.50 per device
Automatic Sprinkler and other fire suppression systems	\$200.00	\$4.50/100 sq. ft. gross area of each floor level
Industrialized Unit	\$150.00	\$1.30/100 sq. ft. gross area of each floor level
Plumbing	\$200.00	\$4.50/100 sq. ft. gross area of each floor level

A. Fees for all residential plan reviews are included in the cost of the permits. Zoning plan review for residential and commercial are included in the cost of the permits. **Zoning site plan reviews for commercial projects: \$150.00**

(7) Re-inspections. The fee for a re-inspection shall be thirty dollars (\$30.00) per additional trip and must be paid in advance.

(8) After hours inspections. In addition to all of the above fees, an inspection shall be made at other than normal hours (8:00 a.m. to 4:30 p.m., Monday through Friday) when requested by an owner or contractor during normal hours and when deemed necessary by the Commissioner for efficient and effective construction of such project, provided that a minimum fee of thirty dollars (\$30.00) is paid in advance for each inspection requested.

(9) Owner, tenant or agent requested inspections. Owner, tenant or agent requested inspections not resulting from any construction:

Fees for this inspection must accompany the request and are as follows:

- | | | |
|----|---|---------|
| A. | Building or structure inspection | \$30.00 |
| B. | Heating inspection (does not include smoke testing of furnaces) | \$30.00 |
| C. | Plumbing inspection | \$30.00 |
| D. | Electrical inspection/Re-energize | \$30.00 |
| E. | Code and use inspection | \$30.00 |

EXCEPTION: An owner occupied or tenant occupied single family or single unit inspection may be requested without a fee.

(10) Penalty. All fees for permits to be charged by virtue of any section of this Building Code, either in its present or amended form, shall be subject to an increase of 200 percent if the work for which the permit is required is commenced before the permit is issued or the written consent of the Building Commissioner is procured, which increase shall be collected by the Commissioner before the issuance of such permit.

(11) Conflicts with other penalties. Nothing in this section shall be construed to repeal or modify any other section of this Building Code providing for penalties, and the penalty provided herein shall be in addition to any other penalties.

(12) Moving buildings on or over public streets or alleys: prohibitions and penalty. To move a building from one location to another on or across a public street or public alley, a fee shall be paid to the Director of Public Service as follows:

Any Residential detached garage	\$100.00	\$500.00
Any Residential dwelling (less than 2 stories)		
	\$250.00	\$500.00
Any structure over 2 stories (plus special approval from Safety Director)		\$500.00

For all buildings over 2 stories, the fee shall be fixed by resolution of Council in each case. In addition to the fee mentioned above for moving a building on or over a public street or public alley, there shall be a charge of five hundred (\$500.00) for each day over two days that the building remains an obstruction on any public street or public alley, which amount shall be paid to the Director. There shall also be filed with the Director a bond in the amount of one hundred thousand dollars (\$100,000.00) before the moving of such building by the permittee. The conditions of such bond shall be that the owner of the building and the person, firm or corporation actually carrying out the work of moving the building shall comply with all the general laws of Ohio and with the City ordinances in the moving of the

building and, further, that they will indemnify and keep the City harmless from all damages liabilities, claims, losses, costs or judgments made or rendered against or suffered by the City because of such moving operations. However, in lieu of the bond, a public liability and property damage insurance policy, issued by a solvent insurance company, in the amount of one million dollars (\$1,000,000) may be deposited with the Director, provided that the City shall be indemnified by reason of any losses sustained by reason of the liability imposed by law upon the City on account of such moving operations, and that the moving contractor shall also be responsible and pay for all damage caused to the streets, overhead wires, trees and other objects which may be lawfully placed or which lawfully exist near the streets.

No person shall knowingly make or cause to be made, either directly or indirectly or through any agency whatsoever any false or fraudulent statement, or knowingly fail to disclose information to the City or any of its officers, agents, employees or departments, with the intent that such statement or omission shall be relied upon to cause the issuance of a building or moving permit for the construction, alteration or relocation of any building or structure adjacent to the right-of-way limits of any limited or controlled-access highway project, grade separation project or other highway project. Whoever violates or assists in the violation of any provision of this subsection shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or imprisoned not more than ninety days, or both. In addition to the above mentioned fee for moving a building on or across a public street or public alley, a permit fee shall be paid to the Division of Building Inspection as follows: for a foundation with no basement at the new location for buildings moved over a public street or alley, the fee shall be as provided in subsection (3)(A) hereof. When a basement is to be provided at the new location, the fee for the new basement, including the foundation, shall be at the same rate as is provided in section (3)(A).

(13) To raise or lower a building. The fee to raze or lower a building shall be as provided in subsection (3)(A) hereof for alterations. An additional permit fee shall be charged for any areas which are added to the building, and the fee for the same shall be as provided in this section for additions.

(14) To raze a building. The fee to raze a building shall be twenty-five dollars (\$25.00) for a residential garage; eighty dollars (\$80.00) per 2,000 square feet for one and two-family dwellings; and thirty dollars (\$30.00) for each 2,000 square feet, or fraction thereof, of the total floor area of all other buildings. The floor area of every story, except the basement, using outside dimensions, shall be additive. A separate permit shall be required for each separate building.

(15) Tents. The fee for a permit to erect or re-erect a tent shall be based on the ground area covered by the tent and shall be as follows:

Area of Ground Covered (sq. ft.)	Fee
400 to 2,000	\$ 15.00
Over 2,000	\$ 30.00
	Fee: \$ 50.00

1444.16 ELECTRIC WIRING PERMIT FEES.

The fees for the installation, alteration or remodeling of electrical wiring, rewiring, apparatus, and equipment, including installation of electric furnaces, electric heating strips, electric heating cable and electric heat pumps, air conditioning equipment, sanitary equipment, safety devices, controls, motor generators, services, rectifiers, supports and accessories, including but not limited to motion picture machines, vending machines and all other electrical devices, apparatus, equipment, etc., shall be as follows:

- (a) One, Two and Three-Family Dwelling.
 - (1) New dwellings (includes temp. service) \$125.00 **\$150.00**
 - (2) Additions \$ 55.00 **\$ 75.00**

- (b) Commercial, Industrial and Multi-family.
- | | | |
|-----|---|---|
| (1) | New structures (includes temp. service) | \$210.00 min. base plus
\$0.02 per sq. ft. |
| (2) | Additions | \$160.00 |
- (c) One, Two and Three-Family Dwellings:
Commercial, Industrial Existing Structures, and Multi Family:
New Service, Feeders or Busways.
- | | | |
|-----|---------------------------------------|-------------------------------------|
| (1) | 100 - 150 amp | \$ 65.00 |
| (2) | 200 - 400 amp | \$ 80.00 |
| (1) | 100 - 400 amp | \$ 75.00 |
| (2) | Over 400 amp | \$105.00 \$150.00 |
| (3) | Misc. residential wiring (no service) | \$ 55.00 |
| (4) | Misc. commercial wiring (no service) | \$80.00 \$150.00 |

Major Structural Alteration Wiring shall be charged as outlined in section B(1).

- (d) Electric Ranges, Electric Ovens, Electric Dryers, Electric Water Heaters, Air Conditioners, Electric Heating, **and Commercial Miscellaneous Outlets.**
\$35.00 per circuit (**up to 9**)

(On dual use circuits, there shall be no additional charge if the AC receptacle is part of the electric heating circuit.)

- (e) Signs: Outline or Marquee Branch Circuit. The fee for signs, outline or marquee branch circuit, shall be ~~thirty dollars (\$30.00)~~ **Fifty Dollars (\$50.00).**

- (f) Siding, Entrance cable, Meter relocation, **Siding Detach** \$ 35.00

- (g) Swimming Pools.
- | | | | |
|-----|-------------|---------------------|-----------------|
| (1) | Residential | \$ 45.00 | \$ 50.00 |
| (2) | Commercial | \$105.00 | \$250.00 |

- (h) Empty Raceways (To Be Used Later) ~~\$ 65.00~~ **\$100.00**

- (i) Temporary Installations - Separate Permit.
(Not to exceed ninety (90) days) \$ 60.00
Upon written request, one 90 day extension may be granted.

- (j) Exterior Pole Lighting. ~~\$35.00 (per pole)~~ **\$ 50.00** (per pole)

1444.17 HEATING, AIR CONDITIONING, REFRIGERATION AND VENTILATION PERMIT FEES.

(a) Fees for new and replacement furnaces, space heaters, boilers, heat pumps, solar collectors, refrigeration, air conditioning and any unclassified heating devices, regardless of fuel, shall be as provided in the following table.

<u>BTU Input</u>		<u>Fee</u>
0 - 100,000	\$ 55.00	\$ 60.00
100,001 - 200,000	\$ 65.00	\$ 70.00
200,001 - 500,000	\$ 75.00	\$ 80.00
500,001 and over	\$110.00	\$115.00

(Note: 12,000 BTU = 1 ton)

- (b) Misc. residential duct, thermostat installation \$ 35.00
(c) Misc. commercial duct, thermostat installation \$105.00

- (d) Fire dampers or fire stat. (each) \$ 30.00
- (e) Commercial Kitchen Hoods and Ducts \$110.00
- (f) A 200 percent penalty shall be applied if work for which the permit is required is commenced before the permit is issued. There shall be no transfer of permits between individuals and/or firms. All units must be approved.

1444.18 PLUMBING PERMIT FEES.

The permit fee for the installation, alteration, remodeling, resetting and replacing of any plumbing, plumbing fixtures or plumbing system, whether new or existing, shall be as follows, except for ordinary repairs, including leaks, worn or damaged faucets, floats and valves, and the cleaning of house drains and/or sewers not involving the removal or replacement of traps and/or plumbing fixtures or apparatus.

- (a) One, Two and Three-Family Residential Dwellings.
 - New dwelling ~~\$100.00~~ **\$125.00**
- (b) Commercial and Industrial. New or addition sanitary module (complex of fixtures within one enclosed room). \$ 80.00 per module
- (c) One, Two and Three-Family Residential Dwelling.
 - Addition, remodeling ~~\$45.00~~ **\$100.00**
- (d) *Accessory Permits.
 - (1) Residential Accessory (each) \$ 35.00
 - (2) Grease or oil separator \$ 80.00
 - (3) Commercial and Industrial accessory (each) \$ 80.00

(*Replace water heater, soil/vent stack, inside conductor, outside conductor, water line, gas line (per dwelling), water closet, bathtub, shower, wash basin, sink, disposal, laundry trap, shampoo bowl, sump pump, janitors closet and slop sink. Accessory items may be combined on one permit.)

- (e) Fire Protection System. Fees for fire suppression systems (wet, dry, CO2, chemical, halon, etc.) shall be as follows:
 - (1) Residential \$ 50.00 base
 - (2) Commercial \$110.00 base
 - (3) Standpipes \$ 35.00 each
 - (4) Sprinkler heads \$ 1.00 each
 - (5) Hood Suppression \$ 50.00

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2012

Clerk of Council

President of Council

Approved _____ 2012

Mayor