



RESOLUTION 2014-011

AMENDING THE FY 2013-14 FEE SCHEDULE TO COMPLY WITH STATE BUILDING CODES REGARDING INVESTIGATIVE FEES

WHEREAS, the Oregon State Legislature has enacted House Bill 2978 relating to the state building code. A portion of House Bill 2978 (2013) standardizes current state and local government policy for assessing investigative fees for work started without the required permit across all program areas; and

WHEREAS, House Bill 2978 eliminates the term “*double permit*” fee and replaces it with “*investigative fee*” by specifying that a “*state or a municipality administering and enforcing a building inspection program, may assess an investigation fee against a person that is required to obtain a permit for work on the electrical, gas, mechanical, elevator, boiler, plumbing or other systems of a building or structure if the work commenced before the permit required for the work was obtained*”; and

WHEREAS, House Bill 2978 further specifies that the amount of the investigation fee must be the “average” or “actual” additional cost of ensuring that a building, structure or system is in conformance with state building code requirements that results from the person not obtaining a required permit before work for which the permit is required commences; and

WHEREAS, House Bill 2978 does not apply to emergency repair required for health, safety, the prevention of property damage or the prevention of financial harm if the required building permit for the repair is obtained no later than five business days after commencement of the repair; and

WHEREAS, the State of Oregon Building Codes Division has adopted the language from House Bill 2978 replacing the term “double permit fee” with “investigative fee”, specifying the fee must be the “average” or “actual” additional cost and requiring that permits for emergency work are obtained within 5 days; and

WHEREAS, the City of Sherwood’s current fee schedule refers to an “investigation fee” for work being performed without a permit; and

WHEREAS, local Building Department fees and codes must be consistent with State of Oregon Building Codes;

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. Findings

After full and due consideration of the evidence presented, the City Council finds that the text of the Sherwood Fee Schedule be amended to reflect these changes:


- A. Changing the words "Investigation fee" to "investigative fee".
- B. Changing the fee in the fee schedule from "100% of required permit fee for working without a permit" to "Investigative fee - \$70.00 minimum fee, plus \$70.00 per hour for each additional hour required to enforce code.

Section 2. Approval The proposed amendment for the Fee Schedule is identified in the attached Exhibit 1, is hereby approved.

Section 3. Manager Authorized The City Manager is hereby directed and authorized to take such action as may be necessary to document this amendment, including necessary updates to Chapter 10 Building Charges for Service of the Fee Schedule

Section 4. Effective Date This Resolution shall take effect after its approval and adoption.

Duly passed by the City Council this 18th day of February 2014.



Bill Middleton, Mayor

Attest:



Sylvia Murphy, MMC, City Recorder

SECTION 10: BUILDING CHARGES FOR SERVICE

Grading Fees

- Grading permit fee Based on Cubic Yards
 0 to 100 \$60 minimum fee
 101 to 1,000 \$60 first 100 yards (plus \$11 for each additional 100 yards or fraction thereof)
 1,001 to 10,000 \$159 first 1,000 yard (plus \$15 for each additional 1,000 yards or fraction thereof)
 10,001 to 100,000 \$294 first 10,000 yards (plus \$75 for each additional 10,000 yards or fraction thereof)
 100,001 + \$969 first 100,000 (plus \$36.50 for each additional 10,000 yards or fraction thereof)
- Grading plan review fee 85% of the grading permit fee

P. Other Inspections and Fees (Building Permit, Mechanical, Plumbing, Grading and Erosion)

- Re-inspection fee (Minimum charge = 1 hour) \$90 per hour plus 12% State surcharge or Current State Rate
- Inspections outside normal business hours (when approved by the Building Official) \$90 per hour plus 12% State surcharge or Current State Rate (Minimum charge = 2 hours)
- Inspection for which no fee is specifically indicated \$70 per hour plus 12% State surcharge or Current State Rate (Minimum charge = ½ hour)
- ~~Investigation fee~~ Investigative fee for working without a permit ~~100% of required permit fee for working without a permit~~ \$70 per hour to enforce the code, \$70 minimum.
- Additional plan review required \$90 per hour or actual time (For changes, additions or revisions) (Minimum charge = ½ hour)
- Re-stamp of lost, stolen or damaged plans \$55 per plan set
- Application/Permit extensions \$50
(Renewal of an application or permit where an extension has been requested in writing, and approval granted by the Building Official, prior to the original expiration date, provided no changes have been made in the original plans and specifications for such work)
- Permit reinstatement fee 50% of amount required for a new permit or a percentage as determined by the Building Official based on the remaining inspections required.

(This fee is for reinstatement of a permit, where a reinstatement request has been made in writing, and approval granted by the Building Official, provided no changes have been made in the original plans and specifications for such work.)

Q. Refunds (Building Permit, Mechanical, Plumbing, Grading/Erosion)

- Permit refunds 75% of original permit Fee; Provided the permit is still valid
- Plan review refunds 75% of original plan review fee provided no plan review was started

R. Certificate of Occupancy (All as determined by the Building Official)

- Temporary residential \$50 per request
- Temporary commercial \$300 maximum per request

S. Change of Use/Occupancy Certificate Application Fee

- Similar use (Minor code review) \$60
- Dissimilar Use, or Change in Occupancy (Extensive Code Review) \$125 minimum fee (Includes 1 hour code review time, review time greater than 1 hour will be charged at the hourly rate of \$90)