

ORDINANCE #32

ORDINANCE ESTABLISHING A BUILDING PERMIT FEE

Whereas the Common Council of the Village of Beech Bottom finds it desirable and appropriate that the Village exercise a certain degree of supervision over the construction, repair, alteration, and demolition of buildings within its boundaries,

Therefore be it ordained that the following provisions cover the issuance of building permits within the Village of Beech Bottom:

32.1 – Scope

This ordinance applies to the construction of, demolition of, repairs to, structural property located in the corporate limits of the Village of Beech Bottom. This ordinance does not create a permit or permitting process for work that would constitute landscaping as defined in section 32-6. Any construction, repair, and/or demolition exceeding \$10,000 will require a building permit be obtained prior to work taking place on the same.

32.2 – Process

32-2-1:

Any person desiring to construct or demolish any building or repair or alter the construction of any existing building in the Village of Beech Bottom if required as outlined in this ordinance shall first make application at the Village of Beech Bottom office.

32-2-2:

All construction, repair, and/or demolition exceeding \$10,000 not done by either the property owner and/or occupant shall require owner and/or occupant to obtain a building permit with the Village of Beech Bottom.

32-2-3:

Said application shall be on a form designated by Village Council.

32-2-4:

Application shall be made for said building permit at least five (5) business days prior to commencement of any construction for which a permit is required.

32-2-5:

The fee for building permits issued shall be found in section 32-3 of this ordinance. Said fee shall be collected by the Village of Beech Bottom before any building permit will be issued.

32-2-6:

The permit shall be posted in plain view from the street at the job site.

32-2-7:

Permits shall be valid 6 months from date of issue. Permit holder may apply for one (1) no cost six (6) month extension.

32-2-8:

Applications for a Permit will be reviewed by employees/officials of the Village of Beech Bottom. Applications for a Permit can be either "Approved", "Denied", or marked "More Information Required."

32-2-9:

An Application for a Permit can be "Denied" for any legitimate reason; said reason will be simply and plainly written on the application by the reviewing employee/official. If an applicant believes that the Application for a Permit has been inappropriately denied, he or she can submit an "Appeal of Denial" with the Common Council of the Village of Beech Bottom. The denied applicant must submit in writing within two business days of the denial why he or she believes that the Application for a Permit was inappropriately denied. If an Appeal of Denial is submitted outside of the two day period, it will be summarily denied. The Common Council will hear the "Appeal of Denial" within three weeks after it has been submitted.

32-2-10:

An Application for a Permit that is marked "More Information Required" is an application that is neither denied nor approved, but simply requires more information. The reviewing employee/official will simply and plainly mark exactly what information is needed on the application. The applicant has up to five (5) business days from the date of receipt to provide this information to the Village of Beech Bottom. If the requested information is not provided, then the application will be denied.

32.3 – Fees

32-3-1:

For all construction, repair, and/or demolition requiring a building permit, the following fees shall be assessed based on the cost of said construction, repair, and/or demolition:

Cost	Fee
\$ 10,000.00 - \$ 25,000	\$ 100.00
\$ 25,000.01 - \$ 50,000	\$ 250.00
\$ 50,000.01 - \$ 75,000	\$ 500.00
\$ 75,000.01 - \$ 100,000	\$ 750.00

For construction, and/or demolition cost of \$ 100,000.01 and up, The fee shall be One (1) percent of cost and shall not exceed a maximum fee of five thousand dollars (\$5,000).

32-3-2:

The fee is required to be paid up-front based upon the estimated fair market value. If the applicant underestimated the fair market value, they are required to pay the difference between what was paid and what fee is actually owed.

32.4 – Provisions

32-4-1:

All permits granted under previous revisions of this ordinance shall remain valid for the full period specified when they were granted.

32-4-2:

The provisions of this ordinance shall be in addition to the requirements of the Zoning Ordinance of the Village and any other ordinances specifying requirements for construction or excavation.

32-4-3:

This ordinance supersedes and replace all previous versions and amendments to prior versions of Ordinance #32 and any amendments that may have been in effect prior to the date of adoption of this ordinance, and renders those rules no longer in effect.

32.5 – Penalties

32-5-1:

Failure to obtain a permit that requires payment of a fee before the job starts shall result in a penalty of one hundred dollars (\$100.00) per day of violation plus court costs. Payment of said penalties does not constitute a permit, and the process set forth in section 32-2 must be fulfilled before any work may proceed.

32.6 – Definitions

32-6-1:

The cost of construction, repair, and/or demolition shall be determined as the fair market value of all materials and the total wages paid for any and all labor and/or contract costs.

32-6-2:

Construction shall be defined as any work done to improve the property, and not otherwise defined in this section.

32-6-3:

Demolition shall be defined as the removal of a structure.

32-6-4:

Landscaping shall be defined as the maintenance or improvement of the portion property that does not contain structures.

1st Reading November 4th 2014

2nd Reading November 18th 2014

3rd Reading & Passage December 2nd 2014