

A RESOLUTION ESTABLISHING A COMPREHENSIVE LISTING OF FEES AND CHARGES PERTAINING TO THE COMMUNITY DEVELOPMENT DEPARTMENT AS AUTHORIZED UNDER THE MUNICIPAL CODE OF THE CITY OF SPRING HILL, KANSAS; FURTHER RESCINDING ALL OTHER RESOLUTIONS IN CONFLICT WITH THIS RESOLUTION.

WHEREAS, The City of Spring Hill has adopted the Municipal Code of the City of Spring Hill, Kansas; and

WHEREAS, the City of Spring Hill has adopted comprehensive regulations pertaining to the enforcement of minimum standards for building construction, property maintenance, nuisance, zoning and other municipal codes; and

WHEREAS, the effective administration of the Municipal Code of the City of Spring Hill results in certain costs incurred by the City of Spring Hill, Kansas; and

WHEREAS, the Governing Body of the City of Spring Hill has adopted Chapter 17, Unified Zoning Ordinance and Subdivision Regulations, of the Municipal Code of the City of Spring Hill, Kansas; and

WHEREAS, the effective administration of Chapter 17 results in certain costs being incurred by the City of Spring Hill, Kansas; and

WHEREAS, it is desirable to establish fees to partially offset the costs in administering said Chapter 17 caused by the processing of applications and review of plans; and

WHEREAS, the Governing Body of the City of Spring Hill has authorized the collection of an excise tax on the act of platting real property as set forth in Ordinance 2004-26; and

WHEREAS, the Governing Body of the City of Spring Hill has authorized the collection of fees as set forth in Ordinance 2005-44 relating to park fees in lieu of park land dedication pursuant to Section 17.378(B)(9)(F) of the Municipal Code of the City of Spring Hill; and

WHEREAS, the Governing Body of the City of Spring Hill has authorized the collection of fees as set forth in Ordinance 2018-13 relating to managing the use and occupancy of public right-of-way for the City of Spring Hill, Kansas; and

WHEREAS, a comprehensive listing of fees and charges associated with the Community Development Department of the City of Spring Hill would promote efficiency and expediency regarding City fees and charges and would allow for greater accessibility and ease of use of the comprehensive fee listing for citizens and visitors alike.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRING HILL, KANSAS that the following fees and charges be established:

SECTION ONE: Fees authorized in Section 4-108 of the Municipal Code of the City of Spring Hill shall be as follows:

1.1 – Permit Fees. The fee for each permit shall be as set forth in this section.

The determination of value or valuation under any of the provisions of these codes shall be made by the building official. Value or valuation, as applied to a building and/or its building service equipment for the purpose of establishing permit fees, shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs as established by the Building Valuation Data Table contain in the Building Standards magazine published by the International Conference of Building Officials in the January/February edition in each calendar year of any other method deemed acceptable by the code official.

The basis to be used in computing the building permit and building plan review fees shall be as set forth in Tables 1-A and the fee schedule for work or services specified in Table 1-B.

Fees may be waived at the discretion of the code official during times of declared emergency.

1.2 - Plan Review Fees. When submittal documents are required by the City of Spring Hill, Kansas, a plan review fee shall be paid at the time of document submittal for plan review. Said plan review fee shall be the amount established by Table 1-B of this document. The code official may waive the plan review fee if it is determined that the work being performed is minor in nature and can be approved during field inspection of the work being performed.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, additional plan review and permit fees may be charged.

1.3 - Work commencing before permit issuance. Whenever work for which a permit is required by the City of Spring Hill, Kansas has commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

1.4– Investigation fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Tables 1-A and the fee schedule for work or services specified in Table 1-B. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of any building code or regulation that has been adopted by the City of Spring Hill, Kansas nor from the penalty prescribed by law.

EXCEPTIONS:

- 1) In cases of emergency, the person or other entity doing the work or causing work to be done may proceed with the work and file application for a permit within 72 hours after commencement of emergency work. Emergency shall be considered to exist only in those situations wherein life, health and safety would be adversely affected if work were not commenced immediately, and the burden shall be upon the person claiming such emergency to exist to prove the existence of such emergency by clear and convincing evidence.
- 2) In cases where the work is being done at a one-family or duplex dwelling by the person who owns and occupies such dwelling and application for permit is made within 3 working days (72 hours), following notification that such work requires a permit, the investigation fee may be waived by the code official.

1.5 – Compliance of work performed prior to issuance of permit. The person responsible for the work that was completed prior to a building permit being issued shall be responsible to provide access for inspection of all work requiring inspection by the City of Spring Hill, Kansas, or shall be responsible at their expense to retain the services of a licensed professional to verify that the work that was performed prior to the issuance of a permit is in full compliance with the provisions of all applicable codes and ordinances of the City of Spring Hill, Kansas in a manner acceptable to the code official.

1.6 – Re-inspection fees. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which the inspection is called is not complete, when corrections called for are not made, when approved plans are not provided for inspections or when access is not provided when inspection have been requested. Said re-inspection fee shall be the amount established by Table 1-B of this document.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirement of the City of Spring Hill, Kansas but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed for the following conditions:

- a) When work for which an inspection was requested by the permittee or an agent of the permittee is not ready for inspection;
- b) When corrections called for are not made.
- c) Failure to provide access on the date for which inspection is requested;
- d) Failure to provide the approved plans for the job when required for inspection purposes;
- e) For deviating from approved plans requiring the approval of the building official;
- f) For failure to post the address or identity of the premises resulting in an inspector being unable to find the location of the requested inspection.

To obtain a re-inspection when a re-inspection fee has been assessed, the applicant shall pay the re-inspection fee in accordance with the fee schedule adopted by this jurisdiction. In instances where re-inspection fees have been assessed, addition inspection of the work will not be performed until the required fees have been paid. Work requiring approval shall not be concealed until approval has been obtained.

1.7 – Refunds. The code official may authorize refunding of a fee that was erroneously paid or collected. The code official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The code official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of payment.

1.8 – Related fees. The payment of the fee for the construction, alteration, removal or demolition of work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

TABLE 1-A
CITY OF SPRING HILL, KANSAS
PERMIT FEE SCHEDULE
Includes all building and building services

Total Valuation	Fee
\$1.00 to \$500.00	\$15.75
\$501.00 to \$2,000.00	\$15.75 for the first \$500.00 plus \$2.10 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$47.25 for the first \$2,000.00 plus \$9.45 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$264.60 for the first \$25,000.00 plus \$6.82 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$435.22 for the first \$50,000.00 plus \$4.72 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$671.48 for the first \$100,000.00 plus \$3.67 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,141.48 for the first \$500,000.00 plus \$3.15 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$3,716.48 for the first \$1,000,000.00 plus \$2.10 for each additional \$1,000.00 or fraction thereof.

TABLE 1-B
SCHEDULE FOR OTHER SERVICES

1) Partial and supplemental permit fees:

- a) Partial permits \$50.00 minimum
When a permit for the construction of part of a building, structure or building service equipment is requested by the applicant, fees shall be determined based on the valuation of work to be performed as separate permit fees and not as supplemental permits.
- b) Supplemental permits \$35.00 minimum
The fee for a supplementary permit to cover any additional value of work not included in the original permit shall be based upon the valuation of the work that was not included in the original permit.
- c) Permit Extensions
The fee for a permit extension as allowed by Section 105.3.2 of the International Building Code shall be subject to the fee specified by Table 1-A based upon the valuation of work remaining to be completed as determined by the code official based upon an evaluation inspection.

2) Plan review fees: Plan review fees required by Section 106.3 of the I.B.C. code shall be as follows:

- a) Single family and duplex dwellings \$25.00
The plan review for single family and duplex dwellings may be waived by the code official if the plans and specifications for such dwellings have been sealed by an architect or engineer that is registered by the State of Kansas.
- b) Residential additions \$15.00
- c) Plot plan review \$10.00
- d) Additional plan review required by changes, additions, or revisions to approved plans \$40.00 per hour*
When additional plan review is required due to changes, revisions or additions to approved plans, the required fee shall be calculated on a per hour basis with a minimum one-half hour charge assessed.
- e) Approving previously approved plans for subsequent permits \$10.00
- f) Commercial and Industrial 50 percent of the fee required by Table 1-A*
- g) For use of outside consultants Actual cost to jurisdiction

3) Manufactured Homes One-half the valuation of new site constructed building

4) Demolition Fee 25 percent of the calculated valuation for new construction for a building of similar use and construction type

5) Moved Buildings Pre-Move evaluation \$150.00*

6) Inspection outside normal business hours \$40.00 per hour*

7) Re-inspection fee** \$75.00 per hour*

8) Inspection for which no fee is specifically indicated \$40.00 per hour*
(minimum charge – one hour)

9) Temporary Certificate of Occupancy:

- a. For first TCO \$75.00
- b. Each additional TCO \$100.00

(For each additional TCO required to extend the time period required to complete construction as determined by the code official)

10) Certificate of Occupancy \$150.00
(Where a Certificate of Occupancy is required for a change of occupancy or for reasons other than in connection with work that is authorized by a building permit)

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.
This is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, for deviating from plans requiring the approval of the building official, or failure to post permit number and/or address on the work site.

11) Unit fees for installation of building service equipment not associated with a permit for new construction:

a) Electrical Services:	
Up to two hundred ampere	\$ 50.00
Up to four hundred ampere	\$ 75.00
Exceeding four hundred ampere	\$100.00
b) Residential repair or alteration to existing electrical	\$ 50.00
c) Commercial & Industrial alteration to existing electrical	\$100.00
d) New HVAC and water heater installations:	
Furnace	\$ 50.00
Water heater	\$ 50.00
Central air conditioning unit	\$ 50.00
Replacement of existing furnaces, water heaters and AC units	\$ 50.00
e) New plumbing fixture or drainage installations	\$ 50.00
Repair or alteration to existing plumbing systems	\$ 50.00
f) Re-roofing of residential structures	\$ 50.00
g) Fence	\$ 25.00
h) Shed (120 sq. ft. or less)	\$ 25.00
i) Driveway entrance (new or replacement)	\$ 25.00
j) Sign Permits	\$1.00 per sq. ft. of sign area, one side only, \$5 minimum
Electrical Sign	\$ 15.00
Temporary Sign (good for 140 days per year)	\$ 10.00

SECTION TWO: Fees authorized in Section 7-308 of the Municipal Code of the City of Spring Hill, related to environmental quality, shall be as follows:

Administrative Fee	\$100.00
Fees for failed inspections of property for compliance with minimum standards due to a violation not being corrected after being given proper notice:	\$ 75.00
LATE FEE (failure to pay failed inspection fee within 30 days of billing)	\$ 30.00

SECTION THREE: Fees authorized in Section 7-403A of the Municipal Code of the City of Spring Hill, related to weeds, shall be as follows:

Administrative Fee	\$100.00
Fees for failed inspections of property for compliance with minimum standards due to a violation not being corrected after being given proper notice:	\$ 75.00
LATE FEE (failure to pay failed inspection fee within 30 days of billing)	\$ 30.00

SECTION FOUR: Fees authorized in Section 7-405B of the Municipal Code of the City of Spring Hill, related to rank grass, shall be as follows:

Administrative Fee	\$100.00
Fees for failed inspections of property for compliance with minimum standards due to a violation not being corrected after being given proper notice:	\$ 75.00
LATE FEE (failure to pay failed inspection fee within 30 days of billing)	\$ 30.00

SECTION FIVE: Fees authorized in Title 17 of the Municipal Code of the City of Spring Hill shall be as follows:

SPRING HILL DEVELOPMENT APPLICATION FEES

Rezoning:

Residential	
0 to 5 acres	\$350.00
5.1 to 10 acres	\$500.00
10.1 to 20 acres	\$600.00
20.1 or more acres	\$750.00
Commercial/Industrial	
0 to 5 acres	\$ 700.00
5.1 to 15 acres	\$ 800.00
15.1 to 25 acres	\$ 950.00
25.1 or more acres	\$1,100.00

Planned Zoning District:

Base Cost:	\$500.00
1 to 10 lots	\$ 8.00 per lot
11 to 50 lots	\$ 6.00 per lot
51 to 150 lots	\$ 4.00 per lot
151 lots to 500 lots	\$ 2.00 per lot
501 lots or more	\$ 1.00 per lot

Preliminary Plat:	
Base Cost:	\$300.00
1 to 10 lots	\$ 8.00 per lot
11 to 50 lots	\$ 6.00 per lot
51 to 150 lots	\$ 4.00 per lot
151 lots to 500 lots	\$ 2.00 per lot
501 lots or more	\$ 1.00 per lot

Final Plat:	
Base Cost:	\$300.00
1 to 10 lots	\$ 8.00 per lot
11 to 50 lots	\$ 6.00 per lot
51 to 150 lots	\$ 4.00 per lot
151 lots to 500 lots	\$ 2.00 per lot
501 lots or more	\$ 1.00 per lot

Site Plan Review:	
0 to 10,000 Sq. Ft.	\$600.00
10,001 to 25,000 Sq. Ft.	\$700.00
25,001 or more Sq. Ft.	\$800.00

Conditional Use Permit: \$600.00

Board of Zoning Appeals:	
Variance	\$400.00
Appeal	\$400.00
Sign Variance	\$250.00

Lot Split \$250.00

Land Use/ Land Disturbance/
Site Development \$100.00

SECTION SIX: Fees authorized in Ordinance #2004-26 of the Municipal Code of the City of Spring Hill shall be as follows:

Excise Tax \$0.158 cents per square foot

SECTION SEVEN: Fees authorized in Ordinance #2005-44 of the Municipal Code of the City of Spring Hill shall be as follows:

Park Impact fee \$300.00 per residential building permit;
Ten cents per sq ft of commercial or industrial lot area

SECTION EIGHT: Right of Way Permit and Inspection fees. The fee charged by the City to recover its cost incurred for Right-of-way management; including, but not limited to, costs associated with registering applicants; issuing, processing, and verifying Right-of-way Permit applications; inspecting job sites and Restoration of improvements; determining the adequacy of Right-of-way Restoration; revoking Right-of-way Permits and, other costs the City may incur in managing the provisions of this ordinance.

SPRING HILL RIGHT OF WAY FEES

- Right of Way User Registration Fee \$150.00/Annual
- Permit Fee for First Parcel \$100.00, \$100.00 for next 1000 lineal feet of Right-of-Way, and \$100.00 for each additional 1000 lineal feet of Right-of-Way
- Excavation/Street Cut Fee Varies – See Example On Next Page
- Re-inspection Fee \$50.00
- Working prior to approved permit \$Double Permit Fee

Liability Insurance, Performance and Maintenance Bond Requirements

- A. The Permittee shall file with the City evidence of commercial general and automobile liability insurance with an insurance company licensed to do business in Kansas. The general liability limit will not be less than one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in aggregate. The automobile liability limit will not be less than one million dollars (\$1,000,000) combined single limit. The insurance will protect the City from and against all claims by any Person whatsoever for loss or damage from personal injury, bodily injury, death, or property damage to the extent caused or alleged to have been caused by the negligent acts or omissions of the Permittee. If the Permittee is self-insured, it shall provide the City proof of compliance regarding its ability to self-insure and proof of its ability to provide coverage in the above amounts.
- B. The Permittee shall at all times during the term of the permit, and for two (2) years thereafter, maintain a performance and maintenance bond in a form approved by the City Attorney. The amount of the bond required for a Right-of-Way Permit will be \$2,000 or the value of the Restoration, whatever is greater, for a term consistent with the term of the permit plus two additional years, conditioned on the Permittee's faithful performance of the provisions, terms and conditions conferred by this Ordinance.

Alternatively, if the Permittee anticipates requirements for multiple Right-of-Way Permits, the Permittee may choose to meet the bond requirements as follows:

- 10 permits or less/year: \$15,000 annual bond
- 25 permits or less/year: \$30,000 annual bond
- Unlimited permits/year: \$50,000 annual bond

- C. A copy of the Liability Insurance Certificate and Performance and Maintenance Bond must be on file with the City Clerk.
- D. No performance and maintenance bond will be required for permits issued for driveway replacement, landscaping work such as irrigation systems and tree planting or plumbing connections for new residential or commercial construction.

No performance and maintenance bond or liability insurance will be required of any governmental entity, or of any residential property owner working in the right-of-way adjacent to his/her residence, who does not utilize a contractor to perform the excavation.

SECTION NINE: Right of Way Permit Excavation and Street Cut Fee. The fee charged by the City for each Street or Pavement cut which is intended to recover the costs associated with the construction and Repair activity of the ROW-user, its contractors and/or subcontractors. The fee charged by the City to recover its cost incurred for Right-of-way management; including, but not limited to, costs associated with registering applicants; issuing, processing, and verifying Right-of-way Permit applications; inspecting job sites and Restoration of improvements; determining the adequacy of Right-of-way Restoration; revoking Right-of-way Permits and, other costs the City may incur in managing the provisions of this ordinance.

EXCAVATION/STREET CUT FEES

1. Area of influence is equal to area of the cut plus 2.5 feet on each side (expressed in sq. yds.)
2. Depreciation rates are based on a 40-year street design standard. Depreciation for the first 5 years is 1.0% year, followed by straight line depreciation less 15.0% for the remaining street design standard (35 years). Depreciation can occur at 1.0% per year after this time for up to 15 years or street reconstruction, whichever occurs first. This reflects that streets retain some value beyond their design standard or expected street life.
3. Cost estimates are based on historical data maintained by City of Spring Hill's Department of Public Works.

EXAMPLE

Using 40-year Street Design Standard – Ridgeview Road at 199th Street

Assumptions:

- Street is 13 years old. Overlay is 6 years old.
- Area of Cut = 4 feet x 5 feet
- Area of influence = 9 feet x 10 feet = 90 square feet
- = 10 square yards

	Cost per Square Yard	Depreciation Rate	Area of Influence	Excavation Cost
Street	\$75.00	77.00%	10	\$577.50
Overlay	\$12.00	40.00%	10	\$48.00
TOTAL COST				\$625.50

Excavation Fees

Cost per Square Yard for Streets, Overlays and Sealcoats X Depreciation Rate X Area of Influence

Depreciation Rates

Reconstruction				Overlays	
Age	Rate	Age	Rate	Age	Rate
0	100%	21	58%	1	90%
1	99%	22	56%	2	80%
2	98%	23	54%	3	70%
3	97%	24	52%	4	60%
4	96%	25	49%	5	50%
5	95%	26	47%	6	40%
6	93%	27	45%	7	30%
7	90%	28	42%	8	20%
8	88%	29	40%	9	10%
9	86%	30	38%	10	0%
10	84%	31	36%		
11	81%	32	33%		
12	79%	33	31%		
13	77%	34	29%		
14	74%	35	26%		
15	72%	36	24%		
16	70%	37	22%		
17	68%	38	20%		
18	65%	39	17%		
19	63%	40	15%		
20	61%				

Sealcoats	
Age	Rate
1	80%
2	60%
3	40%
4	20%
5	0%

Type	Cost
Asphalt Street Reconstruction	\$75.00
Overlays	\$12.00
Sealcoats	\$ 2.50

SECTION TEN: All resolutions that are in conflict with this Resolution are specifically rescinded.

SECTION ELEVEN: This resolution shall be effective the 13th day of February 2020.

ADOPTED by the Governing Body the 13th day of February, 2020.

APPROVED by the Mayor the 13th day of February, 2020.



Steven M. Ellis, Mayor

ATTEST:

Glenda Gerrity, City Clerk

APPROVED AS TO FORM:

Frank Jenkins, City Attorney