

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 86 - 2017

NOVEMBER 15, 2017

AN ORDINANCE

Amending Section 395.05, Zoning Fees, by increasing numerous fees to capture the costs of providing the service.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Section 395.05, Zoning Fees, be amended as follows:

395.05 ZONING FEES

Zoning:

1. Permit Application. The Bureau of Planning and Zoning shall charge a permit application fee of ~~Fifty (\$55)~~ One Hundred (\$100) Dollars for the review of a zoning permit application. (14372 §1 3/16/06; 15304 §1 08/3/16)

2. Appeals. Any appeal to the Zoning Hearing Board, whether for a variance, special exception, non-conforming use or structure, ordinance interpretation or otherwise shall be subject to a fee Five Hundred (\$500) Dollars except, however, that the fee shall be One Hundred Fifty (\$150) Dollars for an appeal related to premises used solely as a single family dwelling unit and occupied or to be occupied solely by the legal or equitable owner thereof and members of the owner's household. (14067 §1 3/6/03; 14372 §1 3/16/06; 15304 §1 08/3/16)

3. Continuances. An applicant and/or interested party who requests a continuance of an appeal before the Zoning Hearing Board, after said appeal was duly advertised, shall be subject to a fee of ~~Four Hundred (\$400)~~ Five Hundred (\$500) Dollars, except, however, that the fee shall be One Hundred Fifty (\$150) Dollars for a continuance related to premises used solely as a single family dwelling unit and occupied or to be occupied solely by the legal or equitable owner thereof and members of the owner's household. (14067 §1 3/6/03; 14372 §1 3/16/06; 15304 §1 08/3/16)

4. Preliminary Opinion. An applicant and/or interested party who requests a Preliminary Opinion of the Zoning Officer shall be subject to a fee in the amount of Five Hundred (\$500) Dollars. (14845 § 1 12/1/10; 15304 §1 08/3/16)

5. Temporary Signs (ten or more). For ten (10) or more signs to be posted, a permit must be obtained in the Zoning Office stating the name, address, telephone number and purpose of the sign and

must be accompanied by a fee of Fifty-five (\$55) Dollars. (14067 §1 3/6/03; 14372 §1 3/16/06; 15304 §1 08/3/16)

6. Zoning Certifications. Requests for written certificates as to the zoning compliance of a property shall be accompanied by a fee of ~~Fifty-five (\$55)~~ One Hundred (\$100) Dollars. (14012 §1 8/01/02; 14067 §1 3/6/03; 14372 §1 3/16/06; 14845 12/3/2010; 15304 §1 08/3/16)

7. Zoning Map and Zoning Amendments. Petitions for zoning map and zoning amendments can be found on the City website or by contacting the City Clerk's Office. A written Petition for a Zoning Map Amendment (Rezoning) may be submitted to City Council by a citizen. It must be notarized and signed by the owners of 50% or more of the land proposed to be rezoned, and it must be submitted together with a check in the amount of ~~\$300.00~~ One Thousand (\$1,000) Dollars payable to the City of Allentown, to the City Clerk's Office, 435 Hamilton Street. A written petition for a Zoning Ordinance Text Amendment may be submitted to City Council by a Citizen and it must be submitted together with a check in the amount of ~~\$300.00~~ One Thousand (\$1,000) Dollars payable to the City of Allentown, to the City Clerk's Office, 435 Hamilton Street. In addition, the petitioner must pay in full all costs incurred by the City in publishing the legally required advertising for the Map or Zoning Code Ordinance Text Amendment prior to final Council Action. (14273 §1 3/3/05; 15173 §1 12/3/14; 15304 §1 08/3/16)

395.06 LAND DEVELOPMENT AND SUBDIVISION FEES

Major Subdivisions:

1. Sketch Plan. The application fee for review of a sketch plan for major subdivisions shall be ~~One Hundred (\$100)~~ Two Hundred Fifty (\$250) Dollars. (14067 §1 3/6/03)

2. Preliminary Plan. The application fee for review of a preliminary plan shall be ~~Two Hundred Ninety (\$290)~~ One Thousand (\$1,000) Dollars plus Forty (\$40) Fifty (\$50) Dollars for each lot. (14067 §1 3/6/03)

3. Final Plan. The application fee for review of a final plan for major subdivisions shall be one-half of preliminary plan. (14067 §1 3/6/03; 14845 §1 12/1/10)

Minor Subdivisions:

The application fee for review of preliminary and final plans for a minor subdivision or deed/lot consolidation shall be ~~One Hundred Forty (\$140)~~ Two Hundred Fifty (\$250) Dollars plus Forty (\$40) Fifty (\$50) Dollars per lot. The fee for review of sketch plans shall be One Hundred (\$100) Dollars. (14067 §1 3/6/03; 14845 §1 12/1/10)

Major Land Developments:

1. Sketch Plan. The application fee for review of a sketch plan for major land developments shall be ~~One Hundred (\$100)~~ Two Hundred Fifty (\$250) Dollars. (14067 §1 3/6/03; 14845 §1 12/1/10)

2. Preliminary Plan. The application fee for review of a preliminary plan shall be ~~Three Hundred Fifty (\$350)~~ One Thousand (\$1,000) Dollars plus One Hundred Fifteen (\$115) One Thousand (\$1,000) Dollars per acre or partial acre plus Thirty-Five (\$35) Dollars per One Thousand (1,000) square foot of floor area for an office, Twenty-Five (\$25) Dollars per One Thousand (1,000) square foot of floor area of retail space, Twenty (\$20) Dollars per One Thousand (1,000) square foot of floor area of a warehouse, Ten (\$10)

Dollars per One Thousand (1,000) square foot of other types of space. (14067 §1 3/6/03; 14845 § 1 12/1/10)

3. Final Plan. The application fee for review of a final plan for major land development plans shall be one-half of preliminary plan. (14067 §1 3/6/03; 14845 § 1 12/1/10)

Minor Land Developments:

The application fee for review of final plans for minor land development shall be ~~Three Hundred Fifteen (\$315)~~ Five Hundred (\$500) Dollars. (14845 12/3/2010)

395.07 UNIFORM CONSTRUCTION CODE STATE MANDATED FEE

The State Mandated Uniform Construction Code Permit Fee authorized under the Pennsylvania Construction Code Act shall be ~~Four (\$4) Dollars and Fifty Cents (\$4.50)~~, and shall be assessed on all Pennsylvania Uniform Construction Code required permits.

395.08 BUILDING FEES

All fees are payable upon examination of plans and permit routing, regardless of timing of construction.

1. Permit Application: Fifty (\$50) Dollars non-refundable fee shall be applied to permit at issuance for Residential Permit Fees and One Hundred (\$100) Dollars for Commercial Permit Fees.
Construction: For the inspection of each building, the fee shall be Fifty five (\$55) Dollars for the first five hundred (500) square feet or less of floor area, plus Fifteen (\$15) Dollars for each additional one hundred (100) square feet or less of floor area, except for storable pools where the flat fee shall be Twenty (\$20) Dollars. Failure to remit permit fee for approved applications shall void the application after One Hundred Eighty (180) calendar days. (15304 §1 08/3/16)

6. Plans Examination: The following shall be charged upon submission of all required drawings or preliminary plans for plans examination. (15304 §1 08/3/16)

Residential: Fifty (\$50) Dollars for alteration and decks

1 & 2 Family Additions – \$50 for 1,000 square feet or fraction thereof Fifty (\$50) Dollars up to One Thousand (1,000) square feet or fraction thereof for new construction and additions (14844 §1 12/1/10)

1 & 2 Family Homes – \$150 for 1,500 square feet or less \$250 for more than 1,500 feet One Hundred Fifty (\$150) Dollars up to One Thousand Five Hundred (1,500) square feet for new construction and additions (15304 §1 08/3/16)

Two Hundred Fifty (\$250) Dollars for more than One Thousand Five Hundred square feet for new construction and additions.

Commercial: Must go to a 3rd Party Review unless the plans are less than \$2,000 and do not include an electrical or plumbing review, then they can be reviewed by the City. (14558 §1 12/20/07; 14678 §1 12/18/08; 14844 12/1/2010; (15304 §1 08/3/16)

9. Pools Fees: Storable Pools - \$20
In Ground Pools - \$250
Permanent Above Ground Pools - \$150

~~9.10.~~ Archives: An Archive Fee of Ten (\$10) Dollars or Five (5%) percent of the building fee whichever is greater per permit shall be added to all permit application fees. (14558 §1 12/20/07; (15304 §1 08/3/16)

~~40.~~ 11. Appeals. Housing Appeals Board Fees shall be One Hundred (\$100) Dollars per application. Building Appeals Board fees shall be One Hundred (\$100) Dollars for 1 and 2 Family residential, and Two Hundred (\$200) Dollars for all others. Disruptive Conduct Board of Appeals shall be One Hundred (\$100) Dollars per application. (14558 §1 12/20/07; (14714 §1 04/01/09; (15304 §1 08/3/16)

395.10 ELECTRICAL PERMIT FEES

1. A non-refundable permit application fee of Twenty-Five (\$25) shall be paid and applied to the permit fee at issuance.

2. Residential and Commercial projects less than or equal to \$30,000 shall be Twenty (\$20) Dollars per each Thousand (\$1,000) Dollars spent on the project with a minimum fee of Fifty (\$50) Dollars. A copy of the contract is required. (15304 §1 08/3/16)

3. Residential and Commercial projects greater than \$30,000 shall be Fifteen (\$15) Dollars per each Thousand (\$1,000) Dollars spent on the project with a minimum fee of Fifty (\$50) Dollars. A copy of the contract is required. (15304 §1 08/3/16)

4. Swimming pool fees are as follows: (15304 §1 08/3/16)

In ground Building: \$250

Above Ground Building: \$150

In ground/permanent

~~\$45~~ 100

Private - Single Family Dwelling

~~\$140~~ 150

Public - New Construction and Recertification

Temporary/Storable/Removable/Seasonal

~~\$20~~ 25

Private - Single Family Dwelling

5. Commercial Emergency alarm device fees for Fire Department inspections are as follows: (15304 §1 08/3/16)

A fee of Four (\$4) Dollars per device with a Fifty (\$50) Dollar Minimum:

6. Yearly Electrical Permits (15304 §1 08/3/16)

\$270

Industrial, Commercial and Institutional Facilities Only (14012 §1

8/01/02)

7. If the work is to be performed by a contractor or subcontractor, that information should be provided on the application for permit. (14424 §2 10/6/06; (15304 §1 08/3/16)

8. Licensing Application Fees: Shall be Fifty (\$50) Dollars. (14844 12/1/2010; (15304 §1 08/3/16)

9. Certificate of Occupancy (C.O.) fee is Twenty-Five (\$25) when permit is issued individually

395.12 PLUMBING AND SEWER FEES

1. A non-refundable permit application fee of Twenty-Five (\$25) shall be paid and applied to the permit fee at issuance.

2. New Installations and Replacements: For projects less than or equal to \$30,000, the fee for residential plumbing installation up to and including three (3) stories for the first three (3) fixtures shall be Fifty (\$50) Dollars with a fee of Fifteen (\$15) Dollars for each additional fixture in excess. For residential projects greater than \$30,000 and non-residential projects, the fee for plumbing installation shall be Fifteen (\$15) Dollars per each Thousand (\$1,000) Dollars spent on the project with a minimum fee of Fifty (\$50) Dollars. A copy of the contract is required. (15304 §1 08/3/16)

3. Water Line Replacements: The fee for installation for new water lines or the repair of water lines from the curb box shall be Fifty (\$50) Dollars. (15304 §1 08/3/16)

4. Sanitary Sewer: The fee for a new sanitary sewer hook up or repair or replacement shall be Fifty (\$50) Dollars for each lateral from the building. (15304 §1 08/3/16)

5. Storm Sewer: The fee for new storm sewer hook up or repair or replacement shall be Fifty (\$50) Dollars. (15304 §1 08/3/16)

6. Appliance Permits: The fee for each water softener and water heater shall be Fifty (\$50) Dollars. (14012 §1 8/01/02; (15304 §1 08/3/16)

7. If the work is to be performed by a contractor or subcontractor, that information should be provided on the application for permit. (14424 §3 10/6/06; (15304 §1 08/3/16)

8. Certificate of Occupancy (C.O.) fee is Twenty-Five (\$25) when permit is issued individually

395.14 PENALTY FEES

1. Work without required permits ~~shall double the permit fee. In addition to the Permit Fee set by this Schedule, a fee of One Hundred (\$100) Dollars per permit shall be charged for work in progress or completed without required permits for residential properties with four units or less. A fee of Five Hundred (\$500) Dollars per permit shall be charged for work in progress or completed without required permits for residential structures with more than four units and for commercial properties.~~ (15304 §1 08/3/16)

2. Excessive inspections on the same issue. In addition to the Permit Fee set by this Schedule, the following fees will apply for inspections requested and required above and beyond two (2) footer/foundation and two (2) rough:

Third Inspection	\$50 for every permit re-inspection
Fourth Inspection	\$75 for every permit re-inspection
Fifth Inspection or more	\$100 for every permit re-inspection (14678 §1

395.18 MECHANICAL FEES

All fees are payable upon examination of plans and permit routing regardless of the time of construction or remodeling. Mechanical fees are for heating, ventilation and air conditioning and other systems for Residential and Non-residential uses.

1. A non-refundable permit application fee of Twenty-Five (\$25) shall be paid and applied to the permit fee at issuance.

2. Residential Properties with three (3) or more units and Non-residential or Mixed-use Properties:

HVAC/Appliances: The fee for appliances utilizing gas, liquid or solid fuel, such as, but not limited to water heaters, boilers, furnaces; and, for chimneys, vents and mechanical refrigeration shall be Fifty (\$50) Dollars per unit. (14558 §1 12/20/07)

Duct work and/or Connecting Piping: The fee shall be ~~One Dollar and Fifty Cents (\$1.50)~~ Fifteen (\$15) Dollars per One Thousand (\$1,000) Dollars of the total cost of construction with a minimum fee of Fifty (\$50) Dollars. (14558 §1 12/20/07)

3. Residential Properties with two (2) or Less Units:

The fee for centralized heating, ventilation and air conditioning systems, appliances such as, but not limited to, water heaters, boilers, furnaces; and, for duct work and/or connecting piping complete, shall be ~~Forty (\$40)~~ Fifty (\$50) per unit. (14558 §1 12/20/07)

The fee for replacement of HVAC appliances connected to existing duct work or piping shall be Thirty (\$30) Dollars per appliance. (14558 §1 12/20/07)

4. If the work is to be performed by a contractor or subcontractor, that information needs to be provided on the application for permit. (14424 §3 10/6/06) If the installation of a water heater requires a new branch circuit, an Electrical Permit is also required. (15304 §1 08/3/16)

5. A non-refundable permit application fee of Twenty-Five (\$25) shall be paid and applied to the permit fee at issuance.

395.27 HISTORICAL ARCHITECTURAL REVIEW BOARD FEES

The fee for City staff review and approval of renovation plans shall be Twenty-Five (\$25) Dollars. For plans reviewed by the Historical Architectural Review Board (HARB) the fee shall be One Hundred (\$100) Dollars. Any HARB violation review shall be Two Hundred Fifty (\$250) Dollars.

SECTION TWO: That this Ordinance takes effect on January 1, 2018.

SECTION THREE: That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance be and the same are hereby repealed.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Community and Economic Development

- **Summary and Facts of the Bill**

Amending the current Planning, Zoning and Building Standards fee schedules

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

Planning and Zoning fees are being increased to shift the majority of the costs of City review of development/redevelopment applications and issuance of related permits onto the applicant/developer rather than the City tax payers not involved in the project.

Building Standards and Safety is requesting to increase the permit fees to reflect requirements by the Uniform Construction Code to the issuance of a Certificate of Occupancy. Also, archive fees are being increased to reflect the difference in physical size of the permit and plan submissions, as well as the varying State requirements for retention of records. Pool permit fees are being increased to account for the varying time spent on applications, reviews and inspection of pools. This fee increase is passed onto the applicant of those services and not the City of Allentown citizens as a whole, which is a complimentary benefit to the population.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

These new fees schedules will increase 2018 revenue as well as enable the City to provide more efficient service.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

We are requesting the fee increase for the 2018 budget.

- **Why should Council unanimously support this bill?**

These fee increases allow for a staff increase to reflect the needs of a growing City, as well as provide services in a more timely and effective manner for the City stakeholders.