

ORDINANCE NO. 2019 - 024

AN ORDINANCE OF THE CITY OF FRANKLIN, KENTUCKY REPEALING AND RESTATING THE PERMIT AND INSPECTION RATE SCHEDULE AND EXPANDING THE LOCAL INSPECTION JURISDICTION TO INCLUDE COMMERCIAL INSPECTIONS FOR THE FRANKLIN-SIMPSON PLANNING & ZONING COMMISSION

WHEREAS, on September 1, 1998, the Franklin-Simpson Planning & Zoning Commission adopted new fees through the Fiscal Court of Simpson County in their Ordinance 920-39; and,

WHEREAS, some of the items in the fee schedule have become obsolete and some of the fees are now antiquated and need to be updated; and,

WHEREAS, the Franklin-Simpson Planning & Zoning Commission now desires to update its fee schedule to bring it current with today's law and standards; and,

WHEREAS, at a joint meeting held on September 3, 2019, the City of Franklin and Simpson County agreed to expand the local inspection jurisdiction to include commercial inspections, and the City desires to adopt the expanded inspection jurisdiction by and through this ordinance, and set fees for said commercial inspections at the same rate as the fees; and,

WHEREAS, it is the opinion and judgment of the Board of Commissioners of the City of Franklin that it is necessary to amend said Ordinance to reflect the changes and additions as set forth herein;

NOW, THEREFORE, BE IT ORDAINED by the City of Franklin, Kentucky, acting by and through its Board of Commissioners as follows:

1. The Board of City Commissioners hereby adopts and/or re-adopts the following Permit and Inspection Rate Schedule, with the three (3) changes to the existing rate and/or permit schedule being designated herein by strikes and underlines:

Permit and Inspection Rate Schedule

Residential Builds

Residential Single & 2 Family	.06/sq. ft.
Unfinished basement	.03/sq. ft.
Multi-Family up to 5000 sq. ft.	.08/sq. ft.
Additional over 5000 sq. ft.	.05/sq. ft.
Residential demolition	15.00
Residential rehabilitation	50.00
Patio roof	15.00
Concrete patio	.04/sq. ft. minimum 15.00
Porch	.06/sq. ft. minimum 15.00
Carport	.04/sq. ft. minimum 15.00
Deck	.04/sq. ft. minimum 15.00
Privacy/security fence	15.00
Above ground swimming pool	25.00
In ground swimming pool	50.00
Accessory building	.07/sq. ft. minimum 15.00
Inspection visit fee	40.00 <u>changes to 50.00</u>

Nonresidential Not Included with Commercial or Industrial

First 5,000 sq. ft.	.08/sq. ft.
Additional area over 5,000 sq. ft.	.05/sq. ft.
Concrete pad	.04/sq. ft.
Tower	.40/ ft. ht.

Commercial and Industrial (Based on Contract Amount)

First 500,000.00	.4%
500,000.00 to 1,000,000.00	.3%
1,000,000.00 to 1,500,000.00	.2%
1,500,000.00 to 2,000,000.00	.1%
Over 2,000,000.00	.05%
Demolition (time limit 30 days)	25.00/1000 sq. ft.
Rehabilitations	.07/sq. ft.
Signs	.50/sq. ft.
Gas pump canopy	25.00 + 1.00/lineal ft.
Inspection visit fee (Commercial, industrial & nonresidential)	10.00 changes to 50.00

Fees for other required permits

Home occupancy certificate	50.00
Apartment occupancy certificate	50.00/apt.
Motel occupancy (minimum fee 100.00) certificate	10.00/room
Mangers apartment occupancy certificate	50.00
Building permit renewal	25.00
Tent for church	15.00
Tent all other uses	50.00
Minimum fee for all other required permits	15.00

Planning Commission and Board of Adjustment Charges for Various Services

Board of Adjustments

Appeals	100.00
Conditional use permit	100.00
Variances	75.00
Home based business occupation	50.00

Planning Commission

Lot line modifications/ removals	75.00
Zone map amendment	150.00
Development plan review (up to 20 units) or 10 acres	200.00
Over 20 units or 10 acres @	5.00/each
Street name change, address assignment	25.00/each
Minor subdivision plat amendment (maximum 3 lots)	60.00/each
Major subdivision plat amendment (three or more lots)	75.00/each
(Plus additional 15.00 per lot over 3 not exceed 20 lots)	15.00/ lot
(Each additional lot over 20) Payable upon prelim. approval	8.00/ lot
Subdivision regulations copy	15.00/each
By-laws copy	5.00/each
Zone ordinance copy	25.00/each

Electrical Permit Fees

Permit fee	10.00/ea. Change to 25.00
Inspection fee	50.00/visit
Commercial and industrial permit and inspections	1.3% of electrical contract amount

2. The Board of City Commissioners further approves expanding the local inspection jurisdiction to include certain commercial building inspections subject to the approval of the Department of Housing, Buildings, and Construction pursuant to 815 KAR 7:110. These inspections shall be performed by a duly qualified, certified and licensed Level III inspector and electrical inspector (as required by 815 KAR 7:110 Section 2) approved by the Commonwealth of Kentucky who is employed by or a contractor for the City of Franklin and Simpson County by and through the Franklin-Simpson Planning & Zoning Commission.

3. The Board of City Commissioners hereby approves an expanded jurisdiction agreement with the Commonwealth of Kentucky, by and through the Department of Housing, Buildings and Construction, and authorizes the Mayor to sign the Agreement and any and all other documents necessary or required to maintain the expanded inspection jurisdiction, and any renewals thereto, as may be required from time to time.

4. The Board of City Commissioners hereby adopts the pertinent provisions of 815 KAR Chapter 2 through Chapter 35 relating to commercial inspections as if set forth fully herein specifically including, but not limited to Chapter 7, as amended from time to time, with all references to the "Department" in those sections being changed to and/or replaced by the "Franklin-Simpson Planning & Zoning Commission."

5. The Board of City Commissioners also adopts the Basic Department Fee Schedule, as amended from time to time, as set forth in 815 KAR 7:120 Section 3. The fee schedule in effect as of the adoption of this Ordinance is attached hereto as Exhibit 1 and incorporated herein by reference.

6. A copy of the current fee schedule and all pertinent portions of the Kentucky Administrative Regulations shall be kept on file in the office of the Franklin-Simpson Planning & Zoning Commission for reference.

7. A copy of this ordinance shall be transmitted to the Department of Housing, Buildings and Construction of the Commonwealth of Kentucky.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

October 14, 2019

FIRST READING

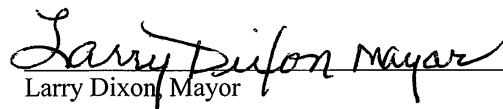
October 28, 2019

SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on October 28, 2019, on motion made by Commissioner Powell and seconded by Commissioner Stewart, the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes BROWNIE BENNETT
Yes JAMIE POWELL
Yes HERBERT WILLIAMS
Yes WENDELL STEWART
Yes LARRY DIXON, MAYOR

APPROVED BY:


Larry Dixon, Mayor

ATTEST:


Cathy Dillard, City Clerk

EXHIBIT 1

CURRENT STATE FEE SCHEDULE

Section 3. State Plan Review and Inspection Fees. The fees required by this section shall apply for plan review and inspection by the department. (1) Fast track elective.

(a) A request for expedited site and foundation approval of one (1) week or less, prior to full review of the complete set of construction documents, shall be accompanied by the fee required by Table 121.3.1 in subsection (3) of this section, plus an additional fifty (50) percent of the basic plan review or inspection fee.

(b) The additional fifty (50) percent fee shall not be less than \$400 and not more than \$3,000.

(c) The entire fee shall be paid with the initial plan submission.

(2) New buildings.

(a) The department's inspection fees shall be calculated by multiplying:

1. The cost per square foot of each occupancy type as listed in Table 121.3.1 in subsection (3) of this section; and
2. The square footage of the outside dimensions of the building.

(b) The fee for a building with multiple or mixed occupancies shall be calculated using the cost per square foot multiplier of the predominant use.

(c) The minimum fee for review of plans pursuant to this subsection shall be \$285.

(3) Table 121.3.1, Basic Department Fee Schedule. The basic plan review or inspection fee shall be as established in Table 121.3.1 in this subsection.

OCCUPANCY TYPE COST PER SQUARE FOOT

Assembly Sixteen (16) cents
Business Fifteen (15) cents
Day care centers Fifteen (15) cents
Educational Fifteen (15) cents
High Hazard Sixteen (16) cents
Industrial factories Fifteen (15) cents
Institutional Sixteen (16) cents
Mercantile Fifteen (15) cents
Residential Fifteen (15) cents
Storage Fifteen (15) cents
Utility and Miscellaneous Thirteen (13) cents
Production greenhouse Ten (10) cents

(4) Additions to existing buildings.

(a) Plan review fees for additions to existing buildings shall be calculated by multiplying the cost per square foot of the occupancy type listed in Table 121.3.1 in subsection (3) of this section by the measurement of the square footage of the addition, as determined by the outside dimensions of the addition and any other changes made to the existing building.

(b) The minimum fee for review of plans pursuant to this subsection shall be \$285.

(5) Change in use.

(a) Plan review fees for existing buildings in which the use group or occupancy type is changed shall be calculated in accordance with the schedule listed in Table 121.3.1 in subsection (3) of this section by using the total square footage of the entire building or structure pursuant to the new occupancy type as determined by the outside dimensions.

(b) The minimum fee for review of plans pursuant to this subsection shall be \$285.

(6) Alterations and repairs.

(a) Plan review fees for alterations and repairs not otherwise covered by this fee schedule shall be calculated by using the lower result of multiplying the:

1. Cost for the alterations or repairs by 0.0030; or

2. Total area being altered or repaired by the cost per square foot of each occupancy type listed in the schedule in subsection (3) of this section.

(b) The total square footage shall be determined by the outside dimensions of the area being altered or repaired.

(c) The minimum fee for review of plans pursuant to this subsection shall be \$285.

(7) Specialized fees. In addition to the fees established by subsections (1) through (6) of this section, the following fees shall be applied for the specialized plan reviews listed in this subsection:

(a) Table 121.3.9, Automatic Sprinkler Review Fee Schedule. The inspection fee for automatic sprinklers shall be as established in Table 121.3.9 in this paragraph;

NUMBER OF SPRINKLERS FEE

Four (4) - twenty-five \$150 (25)

Twenty-six - 100 \$200

101 - 200 \$250

201 - 300 \$275

301 - 400 \$325

401 - 750 \$375

OVER 750 \$375 plus thirty (30) cents per sprinkler over 750

(b) Fire detection system review fee.

1. Zero through 20,000 square feet shall be \$275; and

2. Over 20,000 square feet shall be \$275 plus thirty (30) dollars for each additional 10,000 square feet in excess of 20,000 square feet;

(c) The standpipe plan review fee shall be \$275. The combination stand pipe and riser plans shall be reviewed pursuant to the automatic sprinkler review fee schedule;

(d) Carbon dioxide suppression system review fee.

1. One (1) through 200 pounds of agent shall be \$275; and

2. Over 200 pounds of agent shall be \$275 plus five (5) cents per pound in excess of 200 pounds;

(e) Clean agent suppression system review fee.

1. a. Up to thirty-five (35) pounds of agent shall be \$275; and
- b. Over thirty-five (35) pounds shall be \$275 plus ten (10) cents per pound in excess of thirty-five (35) pounds; and
2. The fee for gaseous systems shall be ten (10) cents per cubic foot and not less than \$150;

(f) Foam suppression system review fee.

1. The fee for review of a foam suppression system shall be fifty (50) cents per gallon of foam concentrate if the system is not part of an automatic sprinkler system.
2. Foam suppression system plans that are submitted as part of an automatic sprinkler system shall be reviewed pursuant to the automatic sprinkler review fee schedule.
3. The fee for review of plans pursuant to sub clause 1. of this paragraph shall not be less than \$275 or more than \$1,500;

(g) The commercial range hood review fee shall be \$225 per hood;

(h) Dry chemical systems review fee (except range hoods). The fee for review of:

1. One (1) through thirty (30) pounds of agent shall be \$275; and
2. Over thirty (30) pounds of agent shall be \$275 plus twenty-five (25) cents per pound in excess of thirty (30) pounds; and

(i) The flammable, combustible liquids or gases, and hazardous materials plan review fee shall be \$100 for the first tank, plus fifty (50) dollars for each additional tank and \$100 per piping system including valves, fill pipes, vents, leak detection, spill and overfill detection, cathodic protection, or associated components.

Section 4. General. All plans shall be designed and submitted to conform to this administrative regulation.

Section 5. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) “2015 International Building Code”, International Code Council, Inc.; and
- (b) “2018 Kentucky Building Code, Second Edition,” April 2019.