RESOLUTION 07-13

A RESOLUTION OF THE TOWN OF WESTFIELD APPROVING AND ADOPTING NEW FEE SCHEDULES FOR THE COMMUNITY DEVELOPMENT DEPARTMENT

WHEREAS, the Town of Westfield, Indiana ("Town") maintains a Community Development Department that has among its duties assesses the need for and amount of fees necessary for the economical sufficiency of the office; and,

WHEREAS, Westfield Code of Ordinances WC 16.04.180 authorizes the Town Council to adopt a fee schedule by resolution on an annual basis; and,

WHEREAS, the Community Development Department has assessed the need for a new fee schedule necessary to reflect the changing needs of the department and duties required of the staff; and,

WHEREAS, the Town Council has been duly advised in this matter;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WESTFIELD, INDIANA:

Section 1. Pursuant to WC 16.04.180 the Council now finds that a new fee schedule is to be adopted and applied utilized by the Community Development Department.

Section 2. That the Council now finds that the fees outlined by "Figure 1", attached hereto and incorporated by reference herein, shall be the updated fees.

Section 3. All previous fees adopted by this Council are now deemed updated to reflect those contained in "Figure 1".

Section 4. That any and all acts done to further this action are now deemed ratified by the Town Council.

ALL OF WHICH IS RESOLVED this _____ day of _____, 2007.

WESTFIELD TOWN COUNCIL

Voting For	Voting Against	Abstain
Andy Cook	Andy Cook	Andy Cook
John Dippel	John Dippel	John Dippel
John Hart	John Hart	John Hart
Robert Horkay	Robert Horkay	Robert Horkay
Joseph Plankis	Joseph Plankis	Joseph Plankis
Robert J. Smith	Robert J. Smith	Robert J. Smith
Ron Thomas	Ron Thomas	Ron Thomas

ATTEST:

Clerk-Treasurer, Cindy J. Gossard

This Resolution prepared by:
Brian J. Zaiger
Krieg Devault, LLP

"Figure 1"

2007 Fee Schedule

Westfield Washington Township
Advisory Plan Commission
and
Board of Zoning Appeals

Advisory Plan Commission

Zoning Changes

Zoning Ordinance Map Amendment (standard district)	$550 +$25/acre
Zoning Ordinance Map Amendment (PUD district)	$750 +$25/acre
Zoning Ordinance Text Amendment	$550

Subdivisions

Primary (Preliminary) Subdivision Plat	$550 + $25/lot
Secondary (Final) Subdivision Plat	$350 + $25/lot
Subdivision Plat Vacation/Amendment	$350 + $25/lot
(if filed in conjunction with a final plat, final plat fee only applies)	
Condominium/HPR address review	$50

Development Plans

Development Plan (accompany SPP)	$450 + $15/acre
Development Plan (non-residential & MF)	$700 + $15/acre
Development Plan (institutional/municipal/non-profit	$350
Admin Approvals (accompany SPP)	$450
Admin Approvals (non-residential & MF)	$700
Admin Approvals (institutional/municipal/non-profit)	$350
Development Plan filed for Director's approval	included in the building permit fee

Planned Development District plans

Planned Development (PD) preliminary plan	$450 + $15 /acre
Planned Development (PD) final plan	$300 + $15 /acre

Re-review Fee

All Zoning Map Amendments, Primary and Secondary plats, and Development Plans	$500
Institutional/municipal/non-profit re-review fee	$250

NOTE: Portions of acres or square feet shall be rounded up to the next whole number.

"Figure 1" (Continued)

Board of Zoning Appeals

Variance of Use	$550 + $50/additional
Variance of Standards	$550 + $50/additional
Special Exception	$550
Administrative Appeal	$550
Any petition referred to TAC by Director	$550 + $100 TAC fee
Institutional / Municipal / Non-profit - Any BZA petition	$250 + $25/additional
-if referred to TAC by Director	Additional $50 TAC fee

Signs

Sign Plan	$100
Sign Permit	$100 + $5/square foot over 32 square feet
Sign Inspection	$50

Other

Zoning Confirmation Letter	$100

"Figure 1" (Continued)

Inspection Fees – Required permits shall be issued upon payment of inspection fees according to the following schedule. The following inspection fees shall be assessed for each site visit required for each stage of construction approval. Some or all of the following inspections may be required:

BUILDING INSPECTION FEES

INSPECTION TYPE		FEE
RESIDENTIAL	Minimum of four required inspections (*footing; *foundation or under-slab plumbing; *rough-in; and *final); inspection cost is in addition to permit cost. Detached accessory structures shall require footing and final inspections and other inspections as determined by the Director.	
*Footing		$50
*Foundation or under-slab plumbing		$50
Electrical – temporary		$50
*Rough-in		$50
*Final structure		$50
Final site		$50
All other inspections as determined by Director		$50
NONRESIDENTIAL (including agricultural)	Minimum of four required inspections (*footing; *foundation or under-slab plumbing; *rough-in; and *final); inspection cost is in addition to permit cost. Agricultural structures (those subject to permit requirements) shall require footing and final inspections and other inspections as determined by the Director.	
*Footing		$90
*Foundation or under-slab plumbing		$90
Electrical – temporary		$90
*Rough-in		$90
*Final structure		$90
Final site		$90
All other inspections as determined by Director		$90

"Figure 1" (Continued)

The following fees shall also be assessed as warranted:

OTHER FEES	Residential	Nonresidential
Need duplicate permit card	$20	$20
Failure to Schedule Inspection	$250	
Failed inspection (e.g., no original permit on premises, no access to the structure, not ready for the inspector, inspection done, deficiencies remain)	See Chart Below	
Commencing construction without a permit or without a passed inspection (in addition to the inspection fee)	$400	$1,250
Occupying a structure without a Certificate of Occupancy	$2,500	$5,000

INSPECTION TYPE		RESIDENTIAL	COMMERCIAL
Footing	First Inspection	$50.00	$90.00
	Subsequent Inspections	See chart below	See chart below
Foundation	First Inspection	$50.00	$90.00
	Subsequent Inspections	See chart below	See chart below
Rough-In	First Inspection	$50.00	$90.00
	Subsequent Inspections	See chart below	See chart below
Final	First Inspection	$50.00	$90.00
	Subsequent Inspections	See chart below	See chart below

FAILED INSPECTION CHART		
	RESIDENTIAL	COMMERCIAL
1ST Inspection	$50.00	$90.00
2ND Inspection	$100.00	$180.00
3RD Inspection	$150.00	$270.00
4TH Inspection	$200.00	$360.00
5TH Inspection	$250.00	$450.00

NOTES:

1. For unusually large or complex buildings or structures, the number and types of required inspections shall be determined by the Director.
2. No concrete shall be placed for foundations without prior inspection.
3. No electrical, mechanical, or plumbing work shall be covered without prior inspection.
4. All inspection fees shall be paid to the Town of Westfield prior to the issuance of a Certificate of Occupancy.

"Figure 1" (Continued)

Building Permit Fees – Required permits shall be issued upon payment of Building Permit fees according to the following schedule:

BUILDING PERMIT FEES

PERMIT TYPE	FEE
AGRICULTURAL	
Agricultural/farm buildings which have major electrical, plumbing, sewage or water installations	$70+$0.07/SF
Agricultural/farm buildings which do not have major electrical, plumbing, sewage or water installations	No Fee
RESIDENTIAL	
Residential-single family, first 1000 SF	$400
Each additional SF	$0.07
Two-Family Dwelling	$400/DU
Each additional SF	$0.07
Tri-Quad Dwelling	$350/DU
Each additional SF	$0.07
Multi-Family (>4 units)	$250 + $75/unit + Inspections
Residential addition	$100+$0.07/SF + Inspections
Residential accessory buildings/structures Storage buildings, detached carports/garages, other accessory structures with foundations, in-ground pools	$100+$0.07/SF + Inspections
NONRESIDENTIAL (Commercial and Industrial)	
New construction and addition	$400+$0.10/SF + Inspections
Remodel	$125+$0.10/SF + Inspections
OTHER	
Certificate of Occupancy	$50
Demolition	$100
Building Relocation	$100/structure
Temporary Building	See note 7.

"Figure 1" (Continued)

NOTES:

1. Square footage calculations shall be based on gross square footage of dwelling, including basement, attached garage and unfinished attic rooms.

2. Models and Displays – Offices, mobile homes, residences or apartments planned to be moved to other locations will be charged the same fee as permanent construction plus dismantling or moving fee.

3. No permit charges are made on distribution lines for oil, gas, water, electricity, telephone, cable television, fiber optic and other telecommunications.

4. An improvement that requires approval by the Indiana Department of Fire and Building Services shall also require a Building Permit to be issued by the Town of Westfield, Community Development Department.

5. Additions to residential dwellings shall require Building Permits to be issued.

6. When a structure is moved from one location to another, within Washington Township, Hamilton County, Indiana, applicable fees shall be charged for removing the structure from its location. Building Permit fees shall be charged for the placement of the structure at its new location. To receive a Building Permit, all appropriate materials must be supplied to the Building Commissioner, as if the structure were being newly constructed.

7. Temporary Permit fees are based on a thirty (30) day period. All periods less than thirty (30) days shall be charged the full thirty- (30) day rate. (i.e., thirty-one (31) days equals two (2) thirty (30) day periods, sixty-one (61) days equals three (3) thirty (30) day periods).

   All temporary building permit fees are calculated by the base rate of $100, times the number of structures, times the number of months (maximum of three (3) months) ($100 X 1 structure X 3 months=$300).

"Figure 1" (Continued)

Review Of Application – THE REVIEW PROCESS MAY TAKE UP TO TEN BUSINESS DAYS BEFORE APPLICATION IS APPROVED. Prior to the issuance of any building permit, the Building Commissioner, or duly authorized representatives, shall:

1. Review all building permit applications to determine compliance with the adopted construction standards.

2. Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding.

3. Review building permit applications for new construction or substantial improvements within the floodplain area having special flood hazards to assure that the proposed construction (including prefabricated and mobile homes):

   a. Is protected against flood damage;
   b. Is designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure; and
   c. Uses construction methods and practices that will minimize flood damage.

Inspections – After the issuance of any building permit, the Building Commissioner shall make, or shall cause to be made, inspections of the work being done as are necessary to ensure compliance with the provisions of the adopted construction standards and the terms of the permit. Reinspections of work found to be incomplete or not ready for inspection shall be subject to additional fees as prescribed in this document.

Inspection Assistance – The Chief of the Fire Department, or designated representatives, may assist the Building Commissioner in the inspection of fire suppression, detection and alarm systems and may provide reports of such inspection to the Building Commissioner.

Entry – Upon presentation of proper credentials, the Building Commissioner or duly authorized representatives may enter at reasonable times any building, structure or premises in the Town of Westfield and/or Washington Township to perform any duty imposed by this document.

Stop Work – Whenever any work is being done contrary to the provisions of this document, the Building Commissioner, or duly authorized representatives, may order the work stopped by notice, in writing, served on any persons engaged in the causing of such work to be done. Any such persons shall forthwith stop such work until authorized by the Building Commissioner, or duly authorized representatives, to proceed with the work.

Certificate Of Occupancy – No certificate of occupancy for any building or structure constructed shall be issued unless such building or structure was constructed in compliance with the adopted construction standards. It shall be unlawful to occupy any

"Figure 1" (Continued)

such building or structure unless a full, partial, temporary or conditional certificate of occupancy has been issued by the Building Commissioner.

Workmanship – All work on the construction and alteration of building s and other structures shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.

Violations – It shall be unlawful for any person, firm or corporation, whether as owner, lessee, sub-lessee, or occupant, to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure, in the Town of Westfield or cause or permit the same to be done, contrary to or in violation of the provisions of this document.

Right Of Appeal – All persons shall have the right to appeal any order of the Building Commissioner first through the Town Council of the Town of Westfield and then to the Fire Prevention and Building Safety Commission of Indiana in accordance with the provisions of IC 22-13-2-7 and IC 4-21.5-3-7.

Remedies – The Building Commissioner shall, in the name of the Town of Westfield, bring actions in the Circuit or Superior Courts of Hamilton County, Indiana, for mandatory and injunctive relief in the enforcement of and to secure compliance with, any order(s) made by the Building Commissioner. Any such action for mandatory or injunctive relief may be joined with an action to recover the penalties provided for in this document.

Penalties – Any person, firm or corporation which fails, refuses, or neglects to obey any provision of this code shall be fined an amount not less than twenty-five dollars ($25), nor more than three hundred dollars ($300). Each day each violation exists shall constitute a separate offense.