

ORDINANCE NO. OR15-22

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING OLD SECTION 1311.01 “BUILDING PERMIT FEES” OF THE CITY OF TROTWOOD CODE OF ORDINANCES AND ADOPTING NEW SECTION 1311.01 “BUILDING PERMIT FEES” TO CONFORM WITH THE MONTGOMERY COUNTY FEE SCHEDULE FOR BUILDING REGULATIONS .

WHEREAS, Montgomery County has established a fee schedule for building regulations; and

WHEREAS, City Council has adopted a resolution establishing a Table of Fees that conforms to Montgomery County’s schedule of fees; and

WHEREAS, City Council has determined that the current Section 1311.01 (“Building Permit Fees”) of Part Thirteen (“Building Code”), Chapter 1311 (“Permits and Fees”), requires revision to conform to the Montgomery County Fee Schedule; and

WHEREAS, City Council has determined that the current Section 1311.01 “Building Permit Fees” of the City of Trotwood Code of Ordinances should be repealed in its entirety and replaced with a new 1311.01 (“Building Permit Fees”).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: The current Section 1311.01 (“Building Permit Fees”) of the City of Trotwood Code of Ordinances be and hereby is repealed in its entirety.

SECTION II: A new Section 1311.01 (“Building Permit Fees”) of the City of Trotwood Code of Ordinances be and hereby is adopted to read as set forth in Exhibit “A”, which is attached hereto and incorporated herein by reference, with additions in **bold** and underlined and deletions in ~~strikethrough~~.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including, but not limited to, Section 121.22 of the Ohio Revised Code.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

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SECTION IV:

This Ordinance shall take effect at the earliest time allowed by law.

Passed this 4th day of April, 2022.

ATTEST:

APPROVED:

Kara B. Landis
KARA B. LANDIS
CLERK OF COUNCIL

Mary A. McDonald
MARY A. McDONALD
MAYOR

Yvette F. Page
YVETTE F. PAGE
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. **OR15-22** adopted by the Trotwood City Council at a regular scheduled meeting held on the **4th** day of **April, 2022**, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL

EXHIBIT A
PROPOSED ORDINANCE REVISIONS
 NEW LANGUAGE IN **BOLD** AND UNDERLINED / DELETIONS IN ~~STRIKETHROUGH~~

1311.01 BUILDING PERMIT FEES.

- (a) Fees Based On Cost; Cost Determination. Where fees for permits are determined on the basis of cost work to be done, an initial cost estimate of the work shall be submitted by the applicant on the permit application. The Building Inspector/Code Enforcement Officer may require the applicant to substantiate the initial cost estimate with the evidence, information, or records as may be necessary to reasonably and accurately establish a valuation. In the absence of substantiation which is reasonably acceptable to the Building Inspector/Code Enforcement Officer, he shall determine, compute, or estimate a valuation in accordance with generally accepted methods of estimating and may, for such purpose refer to other valuations submitted for comparable work involved.
- (b) Notification to County Auditor. When the Building Inspector/Code Enforcement Officer issues a permit for the wrecking or moving of any building or structure, or where the estimated cost of work to be done, whether for new construction, extension, alteration, or repair, would substantially affect the taxable value, he shall notify the County Auditor so that appropriate adjustments may be reflected on the County tax duplicate.
- (c) Building Construction, Alteration, or Repair Permits. Fees for permits for the construction, extension, alteration, or repair of any building or structure shall be: assessed in accordance with the Montgomery County Fee Schedule for Building Regulations.
- ~~(1) Plan review fee \$30.00~~
- ~~(2) Plan review fee additional charge per square foot \$30.00~~
- (d) Fee for Commencing Work Prior to Permit Issuance.
- (1) Where a permit is required for a particular type of work and the work is commenced on a project before taking out a permit, the Building Inspector/Code Enforcement Officer shall ascertain whether the work performed prior to the permit date and inspection conforms to the Building Code requirements as prescribed. In order to ascertain that the materials required and standards of the Code are met some portions or all of the completed work may be required to be removed, dismantled, uncovered, or exposed. The individual, firm, or corporation responsible shall bear all costs incurred.

- (2) The fee for making such necessary investigations prior to issuance of a permit shall be ~~the same as permit requested, maximum one hundred dollars (\$100.00)~~ **assessed in accordance with the Montgomery County Fee Schedule for Building Regulations.** The payment of the fee shall not relieve any person from fully complying with Building Code requirements in the execution of the work, nor from any penalty prescribed.
- (e) Fee for Special and Safety Inspections. When any person desires an inspection of any existing building or part thereof, or other special services, a ~~fee of fifty dollars (\$50.00)~~ shall be charged for such inspection or services **in accordance with the Montgomery County Fee Schedule for Building Regulations.**
- (f) Fee for Reinspection. Permit fees provided for customary reinspections only. Where additional inspections or trips are made necessary by incomplete or faulty work or because of an incorrect address given or failure to keep an appointment, or for similar reasons, a ~~fee of twenty-five dollars (\$25.00)~~ shall be charged for each reinspection **in accordance with the Montgomery County Fee Schedule for Building Regulations.**
- (g) Wrecking Permits. A property owner shall be responsible for obtaining a wrecking permit from the City. The permit will be issued upon submission of proof that all utilities have been properly disconnected. A separate permit may be required for each separate building or structure. The minimum charge for any one wrecking permit shall be ~~twenty-five dollars (\$25.00).~~ **assessed in accordance with the Montgomery County Fee Schedule for Building Regulations.**
- (h) Moving Building Permits. There shall be no fee assessed for the moving of any structure. A permit must be issued for the footer and foundation work on the site that the structure is moved. Anyone moving a structure must receive all permits prescribed by the City Traffic Code.
- (i) Heating, Ventilating, and Air Conditioning Systems. Mechanical permits shall be required on any extension, alteration, addition, or repair of equipment in excess of three hundred dollars (\$300.00). Minor repairs or maintenance will be exempt from permits and inspections. The permit fee shall be ~~sixty dollars (\$60.00).~~ **assessed in accordance with the Montgomery County Fee Schedule for Building Regulations.**
- (j) Certificate of Occupancy. No developer, builder, owner or occupant shall occupy or permit to allow the occupancy of any structure hereinafter built without first obtaining a certificate of occupancy therefor from the Chief Building Inspector. The fee for an occupancy permit shall be ~~thirty dollars (\$30.00).~~ **assessed in accordance with the Montgomery County Fee Schedule for Building Regulations.**
- (k) Gas Piping. A mechanical permit shall be required for the installation of gas piping. The permit fee shall be ~~sixty dollars (\$60.00).~~ **assessed in accordance with the Montgomery County Fee Schedule for Building Regulations.**

- (l) Inground Swimming Pools. A permit shall be required for the installation of an inground swimming pool. The permit fee shall be ~~twenty-five dollars (\$25.00)~~. **assessed in accordance with the Montgomery County Fee Schedule for Building Regulations.**