

ORDINANCE NO. 884
CONCERNING
GENERAL FEE SCHEDULE

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND (WEST 2006, CUMMULATIVE SUPPLEMENT) AND AMENDMENTS THERETO, TITLED "CORPORATIONS - MUNICIPAL," AND SECTIONS 33 AND 34 OF THE CHARTER OF THE CITY OF HAVRE DE GRACE, FOR THE PURPOSE OF AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF HAVRE DE GRACE BY REPEALING EXISTING ORDINANCE NO. 856 PASSED BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ON MAY 17, 2004, AND ENACTING IN ITS PLACE THIS ORDINANCE NO. 884, FOR THE PURPOSE OF AMENDING AND CLARIFYING THE GENERAL SCHEDULE OF FEES CHARGED BY THE CITY FOR VARIOUS PERMITS, LICENSES AND OTHER SERVICES THEREUNDER.

WHEREAS, on May 17, 2004 the Mayor and City Council of Havre de Grace passed Ordinance No. 856, as codified in Chapter 70 of the Code of the City of Havre de Grace, for the purpose of establishing and setting forth a general schedule of the most common fees charged by the City of Havre de Grace for various permits, licenses and other services; and

WHEREAS, the Mayor and City Council of Havre de Grace find it necessary, desirable, and in the best interest, health and general welfare of the City to amend and clarify the general schedule of the fees charged by the city for various permits, licenses, water and sewer capital costs, and other services there under.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, the Mayor and City Council of Havre de Grace, in accordance with the authority vested in The Mayor and City Council of Havre de Grace, by law and the Charter of the City of Havre de Grace hereby amends Chapter 70 of the Code of the City of Havre de Grace by repealing Ordinance No. 856, adopted by the Mayor and City Council on May 17, 2004, and enacting in its place this Ordinance No.884, as follows:

Section 1. Chapter 70 of the Code of the City of Havre de Grace, entitled "Fees" is hereby amended and shall be enacted to read as set forth below.

§ 70-1. General Fee Schedule Established. The following is an enactment listing the specific fees collected from the various ordinances, resolutions, and policies for the City as they shall be established as of the effective date of this Ordinance:

§ 70-2. Fees Not Listed in this Ordinance. This Ordinance represents a general compilation schedule of the most common fees charged by the City of Havre de Grace for various permits, licenses and other services. Citizens are urged to consult the specific ordinance, resolution, or policy for fees charged associated with permits, licenses, and other services not listed in this Ordinance. The Director of Economic Development and Planning or Designee may determine the applicability for a building permit and associated fee if not specifically covered by this Fee Schedule or other City Ordinances.

§ 70-3. For the purposes of this Chapter, the following words, terms and phrases shall, unless language or context indicates that a different meaning is intended, be given the meaning as herein set forth:

Buildings Built for Human Occupancy: shall include but not be limited to the following uses; all residential buildings, church, school, theater, lecture hall, restaurant, museum, nightclub, library, exhibition hall, terminal, recreation center, community center, gymnasium, physical fitness center, retail and or sales, office, service and or repair, personal care, animal care & boarding, manufacturing, industrial, hospital, health care, nursing home, medical, dental. public utility structure, day care, hotel, motel, conference center, club, telecommunications, research & development, bank and funeral care.

Carports: shall be designed such that there are a minimum of two open sides and shall be fire rated for a minimum of one hour fire protection from the interior side of the structure when attached to an occupied structure. Subsequent storm water runoff from the structure shall not discharge within ten feet of any adjoining property line.

Construction dumpster permits: are not required when dumpsters are located on property under development where the City of Havre de Grace has not taken possession of the streets or rights-of-way on which a dumpster may be located. A permit is required for any construction dumpster proposed to be located on City property or City right-of-way or a public or private street (road, lane or alley) whereby that public or private street has been given final construction approval and accepted by the City of Havre de Grace whether maintained by the City or not. No dumpster shall block the use of any public sidewalk or any driveway or obstruct or otherwise affect any emergency response vehicle or personnel. Any dumpster proposed or necessitated to use any street for its temporary location shall first obtain the approval of the City of Havre de Grace Chief of Police or

designee and shall be required to obtain a permit from the Department of Economic Development and Planning. Temporary as contained in this Ordinance shall mean no more than 90 days plus two 30-day extensions granted by the Department of Economic Development and Planning upon written request within any one year period.

Decks: shall include any approved material; a concrete (including masonry/brick/stone or other approved exterior finish material) porch/patio (other than those required as a building egress typically constituting a 3 foot by 3 foot landing) elevated more than 30 inches above the immediate finished grade requires a permit at the deck rate.

Demolition – full: means the complete razing of a structure but may preclude the removal of the existing supporting foundation. At the discretion of the code official, a demolition permit may not be required for the removal of accessory buildings typically used for storage and which do not contain water or sewer connections made directly to City water and sewer distribution lines or composed of or containing hazardous material. Contact the City Code Official for determination on specific buildings.

Demolition – partial: means the removal of a specific section or portion of a structure which includes structural components with or without replacement.

New window or door: shall apply to newly cut openings or expanded openings into a structural or non-structural exterior wall of an occupied structure. No permit is required for replacement windows or doors installed within an existing opening.

Permit re-issuance fee: any building permit approved for any proposed work not commenced within 6 months of the issuance of the building permit or that is deemed to have been abandoned for any period of 6 months or longer, shall be invalid. The Code Official may grant one extension (upon a written request for an extension by the permit applicant received by the Code Official) up to 90 days within 30 days after the original 6 month period has expired. Work must start and be diligently pursued prior to extension expiration in order to keep the permit valid. Should the permit expire for any reason, a permit may be reissued when requested in writing and received by the Code Official within 6 months of the permit expiration for a fee of \$50 provided the project has not been changed. Should the building permit or extension expire, the building permit must be re-applied for at the current applicable rate with no credit or refund of the original fee. Any applicable water and sewer charges made to the original building permit shall not be charged a second time unless previously refunded and will be subject to the current rate.

Retaining wall: is a wall subjected to or built to sustain lateral pressure other than wind pressure. A retaining wall built with an unbalanced fill exceeding 4 feet shall be designed and built in accordance with construction plans designed and sealed by a Maryland licensed engineer with applicable knowledge in such design; photocopied plans with the applicable seal are acceptable or as determined by the Code Official.

Storage Containers –Temporary: shall require a Permit after 90 days of date of delivery to the property at the applicable rate; No storage container shall be permitted in a City right-of-way without City authorization and a permit; No storage containers shall be permitted to be placed in any portion of a front yard of a Residential property other than a driveway; Temporary storage containers as referenced in this Fee Schedule pertain to storage units limited in use to a maximum of a one year period starting on day of delivery. Any permit obtained for a Temporary Storage Unit shall expire after one year from date of issuance.

Structures: (designed and) built for human occupancy shall include those applicable classifications as listed in the International Building Code and the International Residential Code for One & Two Family Dwellings.

Sunrooms: shall be constructed for seasonal use only and shall not be designed, built or equipped for year round habitation; no plumbing fixtures are permitted within a sunroom; electrical outlets are permitted and shall be installed in accordance with all applicable electric code requirements and shall require an electric permit.

Water and/or sewer disconnection/abandonment: in matters regarding structure demolitions, both water and sewer lines serving the structure to be razed shall be disconnected at the utility main if the utilities are no longer required or shall be disconnected at a clean out or curb stop in cases of utility reuse. All work performed within a City right-of-way shall be performed by City personnel and is subject to applicable disconnection fees chargeable to the property owner of the subject demolition.

§ 70-4. **Fee Schedule.**

The City Fee Schedule shall be as follows:

<u>Permit Type</u>	<u>FEE</u>
Decks:	\$ 75
Sunroom on existing deck	\$ 75
Sunroom with or on new deck	\$100

Residential Sheds & Storage Buildings	\$ 50 Up to 1,000 SF \$150 1,001 up to 2,500 SF \$250 2,501 to less than 5,000 SF \$350 Over 5,000 SF
Storage Buildings: Commercial Use	\$ 50 plus \$.25 per SF minimum \$200
Fences	\$ 50
Retaining Wall over 4 feet in height	\$ 50
Driveway and or Curb Cut	\$ 75
Signs	\$ 50
Awning/Canopy with or without signs	\$ 50
Billboards	Not permitted
Street Banner – up to 90 days	\$ 50
All Buildings Built for Human Occupancy	Minimum \$450; up to 1,800 SF \$450 plus\$.25 SF over 1,800 SF (Crawl spaces &unoccupied attic space n/a) Additions - \$350 up to 1,400 SF; \$450 plus \$.25 SF over 1,400 SF
Demolition: Residential Uses	
Full demolition	\$150
Partial demolition	\$100
Renovation: Residential Uses:	
Non-structural alterations	\$ 75
With structural alterations	\$100
Commercial Uses:	
Non-structural alterations	\$150
With structural alterations	\$200
Garage	\$100
Carport	\$ 50
Masonry Fireplace	\$ 50
New Window or Door	\$ 50
Masonry, Brick, Stone Siding	\$ 50

Pool	
In-ground	\$100
Above ground	\$ 50
Radio, Television Communications Tower, Antenna, Dish over 4 feet in diameter	\$200
Residential Antenna; Ham Radio, Tower over 20 feet high	\$ 50
Residential Day Care	\$ 75
Minimum Building Permit Fee	\$ 50
Ornamental Structures	\$ 50
Use & Occupancy	\$100
Re-inspection fee	\$100
Permit Re-issuance fee	\$ 50
Sales Trailer – temporary during project only	\$100
Modular/Mobile Building (not residential or on permanent foundation)	\$250
Construction Dumpster	\$ 50 each
License Agreement	\$ 50
Board of Appeals	\$350 plus Transcript preparation cost
Forest Conservation Plan	\$200 plus \$10 per acre, maximum \$500
Concept Plan as required	\$200 plus \$10 per acre, maximum \$500
Grading	\$ 50 per acre
Storm Water Management	6% of construction cost of SMW facility
Site Plan and Subdivision Plat	
Single Family Dwellings	\$250 plus \$50 per lot
Multi-Family Dwellings	\$250 plus \$50 per unit
Commercial/Industrial/Retail	\$400 plus \$50 per acre
Revision to Site Plan/Subdivision Plat:	\$150 plus \$25 per lot/unit/acre affected

Huckster's Permit:	\$15	Per Day
	\$25	Per Week
	\$50	One Month
	\$100	Six Months
	\$150	One Year
	\$15	Each Additional Person Over Two People

Document copies:	\$.25 per page	8 1/2" x 11"
(black and white copies only)	\$.30 per page	8 1/2" x 14"
	\$.35 per page	11" x 17"

§70- 5. Review of Fee Schedule: The fees and charges contained in this chapter shall be reviewed by City staff on no less than a biannual basis from the effective date of this chapter. Recommended changes, if any, shall be made to the Mayor and City Council within the biannual review schedule.

Section 2. All fees and charges not listed in this Ordinance which are contained in or promulgated pursuant to any concurrent ordinances or resolutions shall remain in full force and effect, unless and until duly modified.

Section 3. Except those provisions of all prior resolutions and ordinances which may be inconsistent with this Ordinance, all such consistent provisions of all prior ordinances and resolutions shall remain in full force and effect.

Section 4. This Ordinance is to be construed to be consistent with any and all State, County, and Federal laws and regulations concerning the subject matter hereof. If any section, sentence, clause or phrase of this Ordinance is held invalid by any court of competent jurisdiction, then said ruling shall not affect the validity of the remaining portions.

BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect twenty-one (21) days following the date of passage.

Introduced –	March 19, 2007
Public Hearing -	April 2, 2007
Adopted -	April 16, 2007

ATTEST:

JAMES NEWBY,

John P. Correrri, Jr., Mayor

Director of Administration

Legislative History

Ordinance No. 850, March 1, 2004

Ordinance No. 856, May 17, 2004

Cross References:

Ordinance No. 844 (Utility Taxes)

Ordinance No. 841 (Water & Sewer Rates)