

J102oca28jb.o5

RECOMMENDED BY: THE MAYOR and THE COMMITTEE OF THE WHOLE

SUBMITTED BY: THE CITY ATTORNEY

ORDINANCE NO. 19-92

AN ORDINANCE TO AMEND TITLE 4, “MUNICIPAL SERVICES”, CHAPTER 7, “SOIL EROSION AND SEDIMENT CONTROL”, ARTICLE B, “PERMITS AND PLANS”, SECTION 4-7-14, “PERMIT APPLICATION FEE”, OF THE GENERAL CODE OF THE CITY OF BIRMINGHAM, TO MODIFY PERMIT APPLICATION FEES FOR RESIDENTIAL AND NON-RESIDENTIAL PROJECTS.

WHEREAS, the City of Birmingham requires compliance with certain standards for clearing, grading and other earthwork to prevent soil erosion and sediment discharge from construction sites and to reduce hazards for construction on steep slopes and in landslide areas and floodplains for the public health, safety and welfare; and,

WHEREAS, the Council finds that fees for plans review, permits and inspections are needed to maintain appropriate levels of review, inspection and enforcement to compel compliance with the adopted standards; and,

WHEREAS, the City of Birmingham is reviewing processes in the Department of Planning, Engineering and Permits to better respond to requests for inspections and plan reviews and finds that fees should be adjusted to help support those efforts.

SECTION 1.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Birmingham as follows that Title 4, “Municipal Services”, Chapter 7, “Soil Erosion and Sediment Control”, Article B, “Permits and Plans”, Section 4-7-14, “Permit Application Fee”, of the General Code of the City of Birmingham, be and is hereby amended to modify permit application fees for residential and non-residential projects and to read as follows:

“Sec. 4-7-14. - Permit application fee.

“(a) A fee for each soil erosion and sediment control permit shall be paid to the city engineer as set forth below:

“SOIL EROSION AND SEDIMENT CONTROL PERMIT FEES

“Fee

“Individual single family or duplex residence:

“Valuation	Fee
“\$0 - \$150,000.00.....	\$100.00
“\$150,001 - \$300,000.00.....	\$250.00
“\$300,001.00 and over	\$350.00

“Non-residential and multi-family residence:

“\$9.50 per \$1000.00 valuation; Minimum permit fee..... \$400.00

“Plus a Plan Review Fee when plans are required to be reviewed before permit issuance.

Plan Review Fees are due at the time of application.

“Plan Review Fee:

“Valuation	Fee
“\$0 - \$10,000.00	\$150.00
“\$10,001.00 - \$50,000.00	\$350.00
“\$50,001.00 - \$100,000.00.....	\$700.00
“\$100,001.00	\$700.00 Plus

\$1.50 per \$1000.00 valuation for each \$1000.00 of the
estimated value in excess of \$100,001.00

“(b) The fee for a soil erosion and sediment control permit authorizing work additional to that under a current, valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project. (c) The fee for a soil erosion and sediment control permit for which application is not made until after work has begun on the project shall be equal to double the amount of the fee required for the entire project.

“(c) Non-residential and multi-family sites require a bond in the amount of \$3000.00 per acre and any part of any acre. The bond amount shall be doubled for work in floodplains and landslide areas.

(d) The applicant shall provide an estimated construction value at the time of application. Estimated cost shall include the total cost of all work and shall include overhead and profit, engineering and architectural design fees, and be equivalent to the end cost of the project. Detailed estimates and copy of the original executed contract(s) may be required for review to validate the declared scope and/or value of the construction. Final valuation shall be set by the City Engineer”

SECTION 2. SEVERABILITY. The provisions of this ordinance are severable. If any part of this ordinance is determined by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, such determination shall not affect any other part of this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective July 1, 2019 or when published as required by law, whichever date is later.



Lee Frazier