

Fiscal Court Orders

Dec. 28, 2010
SPECIAL MEETING OF NELSON FISCAL COURT

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COURT MET IN SPECIAL SESSION, PRESENT COUNTY JUDGE-EXECUTIVE DEAN WATTS AND THE FOLLOWING NAMED MAGISTRATES: SAM HUTCHINS, BERNARD ICE, JEFF LEAR AND JERRY HAHN. MAGISTRATE MAYNARD WIMSETT WAS ABSENT.

NELSON FISCAL COURT SPECIAL MEETING AGENDA

Nelson Fiscal Court Room

December 28, 2010

9:00 a.m.

1. Changes to Building Inspection Program.
2. State requirements.
3. Any and all aspects of Building Inspection Program.

Judge Watts opened discussion by relaying some history of action taken at the previous Court meeting, beginning with the October 1 announcement by the State that they intended to take over the HVAC mechanical permitting, this after many months of discussion on the State level with no decisions having been made. Much information was relayed by Logan Spaulding to members of Fiscal Court; however, the January 1 deadline was not clear. Judge Watts gave Court members the following information re county inspection fees as opposed to State fees:

NELSON COUNTY CODES ENFORCEMENT Fee Schedule

Building Permit/Inspection Fees (All fees are payable to Nelson County Fiscal Court).

1-2 Family, Patio/Townhomes, Multi-family

New construction and additions.....	\$198.00
*Minimum three inspections (footer, framing, final) and written report	
Alterations and renovations	\$66.00 per visit
*Final inspection and written report	
Accessory structures (garages, storage barns)	\$132.00
*Two inspections (footer and final) and written reports	
Additional or failed site inspection.....	\$66.00
REQUEST FOR TEMPORARY OCCUPANCY.....	\$66.00

Commercial Buildings

<u>(Occupancy Type)</u>	<u>(Cost per sq/ft)</u>
Assembly.....	8.5 cents.
Business	7.5 cents
Frozen food plants.....	6.5 cents.
Industrial	6.25 cents
Mercantile	7.5 cents
Warehouses	5.5 cents.
Educational.....	7.5 cents
Residential.....	6.5 cents

All Specialized fees per Section 121.3.9 Kentucky Building Code (Current Edition)

Commercial Alterations and repairs.

Plan review fees for alterations and repairs not otherwise covered by this fee schedule shall be calculated and multiplying the cost for the alterations or repairs by 0.0025; or calculated by multiplying the total area being altered by the cost per square foot of each occupancy type as listed in Table 121.3.1, whichever is less. The total square footage shall be determined by the outside dimensions of the area being altered or repaired. The minimum fee for all commercial review of plans/inspections under this section shall be \$208.00.

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2002 KENTUCKY BUILDING CODE

SECTION 121.0 PLAN REVIEW AND INSPECTION FEES

121.1 General. A permit to begin work for new construction, alteration, removal or other building operations shall not be issued until the fees prescribed by law shall have been paid to the Department, if applicable, and to the local building department. If an amendment to a permit necessitates an additional fee because of an increase in the estimated cost of the work involved, the permit shall not be approved until the additional fee has been paid.

121.2 Special fees. Payment of fees for construction, alteration or removal, and for all work done in connection with or concurrently with the work contemplated by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that may be prescribed by law or ordinance for water taps, sewer connections, electrical permits, erection of signs and display structures, marquees or other appurtenant structures, or fees of inspections or certificates of occupancy or other privileges or requirements established by law.

121.3 State jurisdiction. The fees for plan examination and inspection functions required by the Department of Housing, Buildings and Construction shall be as prescribed in Sections 121.3.1 through 121.3.16, as applicable.

121.3.1 Fee schedule. The fees shall be paid in accordance with Table 121.3.1

Table 121.3.1
OFFICE OF HOUSING FEE SCHEDULE

Occupancy type	Cost per square foot
Assembly	14 cents
Business	13 cents
Day care centers	13 cents
Educational	13 cents
High Hazard	12 cents
Factory / Industrial	12 cents
Institutional	14 cents
Mercantile	13 cents
Residential	13 cents
Storage	11 cents
Utility and Miscellaneous	11 cents

121.3.1.1 Fast track elective. For permit applicants seeking early site and foundation approval prior to full review of complete set of construction documents, the fee shall be that as calculated from Table 121.3.1 plus 50 percent of the full fee. The additional 50 percent fee shall not be less than \$400 and not more than \$3,000. The entire fee shall be paid at the time of the initial plans submission.

121.3.2 Submission of plans and fees. All plans and specifications required to be submitted to the Department by this code shall be accompanied by the applicable fee as set forth herein, rounded to the nearest dollar.

121.3.3 Method of payment. All fees required herein shall be in check form payable to the Kentucky State Treasurer.

121.3.4 Construction approval. Approval for construction shall not be issued by the Department until all required fees have been paid.

121.3.5 New construction. Departmental plan review fees for new buildings shall be calculated by multiplying the total building area under construction by the cost per square foot of each occupancy type as listed in Table 121.3.1. Total square footage of the building shall be determined by the outside dimensions of the building. Minimum fee for review of plans under this section shall be \$250. The fee for buildings with multiple or mixed occupancies may be calculated by using the cost per square foot multiplier of the predominant use.

121.3.6 Additions to existing buildings. Plan review fees for additions to existing buildings, which shall not require the entire building to conform to the Kentucky Building Code, shall be calculated in accordance with Table 121.3.1 by the measurements of the square footage of the addition, as determined by the outside dimensions of the addition. Minimum fee for the review of plans under this section shall be \$250.

121.3.7 Change in use. Plan review fees for existing buildings in which the use group or occupancy type is changed shall be calculated in accordance with Table 121.3.1 by using the total square footage of the entire building or structure under the new occupancy type as determined by the outside dimensions. Minimum fee for review of plans under this section shall be \$250.

121.3.8 Alterations and repairs. Plan review fees for alterations and repairs not otherwise covered by this fee schedule shall be calculated by multiplying the cost for the alterations or repairs by 0.0025; or calculated by multiplying the total area being altered, or repaired by the cost per square foot of each occupancy type as listed in Table 121.3.1, whichever is less. The total square footage shall be determined by the outside dimensions of the area being altered or repaired. The minimum fee for review of plans under this section shall be \$250.

121.3.9 Specialized fees. In addition to the above fees, the fees in Table 121.3.9 shall be applied for the specialized plan reviews listed.

TABLE 121.3.9
AUTOMATIC SPRINKLER

PLAN REVIEW FEE SCHEDULE	Fee
004 - 025	\$150
026 - 100	\$200
101 - 200	\$250
201 - 300	\$275
301 - 400	\$325
401 - 750	\$375
OVER 750	\$375 plus 30 cents per sprinkler over 750

121.3.10 Fire detection system review fee. Zero to 20,000 square feet shall be \$275; over 20,000 square feet shall be \$275 plus \$30 for each additional 10,000 square feet in excess of 20,000 square feet.

121.3.11 Standpipe plan review fee. \$275 (combination standpipe and riser plans shall be reviewed under the automatic sprinkler review fee schedule).

121.3.12 Carbon dioxide suppression system review fee. One to 200 pounds of agent shall be \$275; over 200 pounds of agent shall be \$275 plus 5 cents per pound in excess of 200 pounds.

121.3.13 Clean agent suppression system review fee. Up to 35 pounds of agent shall be \$275; over 35 pounds shall be \$275 plus 10 cents per pound in excess of 35 pounds. The fee for gaseous systems shall be 10 cents per cubic foot and not less than \$200.

121.3.14 Foam suppression system review fee. \$0.50 per gallon of foam concentrates where the system is not part of an automatic sprinkler system. Foam suppression system plans that are submitted as part of an automatic sprinkler system shall be reviewed under the automatic sprinkler review fee schedule. The fee for review of plans under this section shall not be less than \$275 or more than \$1,500.

121.3.15 Commercial range hood review fee. \$225 per hood. Includes range hood and suppression system plans.

121.3.15.1 Commercial range hood extinguishing system review fee. \$150 per system when the range hood extinguishing system is submitted separate from the range hood system.

121.3.16 Dry chemical systems review fee (except range hoods). One to 30 pounds of agent shall be \$275; over 30 pounds of agent shall be \$275 plus 25 cents per pound in excess of 30 pounds.

121.3.17 Spectator seating system review fee. Seating systems having 1 to 1,000 seats shall be \$275; over 1,000 seats shall be \$275 plus \$20 for each additional 200 seats in excess of 1,000 seats. The total number of seats in seating systems without dividing arms shall be calculated at 18 inches per seat as required by Section 1004.1.1 of this code.

121.4 Local jurisdiction. Each local government shall adopt its own schedule of reasonable fees for building permits and the performance of functions under this code. The fees shall be designed to cover fully the cost of the service performed but shall not exceed the cost of the service performed.

Judge Watts expressed his desire to stay within the building code, but having listened to Nelson County residents and their concerns during the election process, he also sees the need to try to work to make inspection programs more "user friendly". As a means of accomplishing this, the following was presented to Court members:

PROPOSAL FOR BUILDING INSPECTION PROGRAM

1. Continue to permit all accessory structures. Inspection permit fee shall apply only to portable accessory structures 200 square feet or larger.
2. Reduce the fee charged for fences to \$33.00
3. Adopt the current commercial code fees as listed by the Department of Housing.

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During discussion, Magistrate Jeff Lear asked for an analysis of how increase in the mechanical inspection will be offset by the decrease in fees charged for inspection of fences of 6 ft. or over. Judge Watts told Court members that he would bring back a history of fees collected during the past couple of years so that comparisons can be made.

Discussion was also held concerning commercial rates and automatic increases in residential fees based on CPI, with options considered for adjusting fees in both areas. Collections will vary depending on activity within the County in a given time period; information will be forthcoming for a more complete understanding.

On motion of Bernard Ice, second of Jeff Lear, by unanimous vote of the Court members present, and following discussion and clarification of various aspects of the County's building inspection program, IT IS HEREBY ORDERED to adjourn the Dec. 28 special session of Nelson Fiscal Court.

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

PHYLLIS S. MATTINGLY, NELSON COUNTY CLERK