

RESOLUTION NO. 3848

A RESOLUTION ESTABLISHING PLAN REVIEW, PERMIT, AND INSPECTION FEES;  
RESCINDING RESOLUTION NO. 3712.

WHEREAS, the City of Overland Park has adopted Title 13, Streets and Sidewalks, Title 15, Public Improvements, Title 16, Buildings and Construction, and Title 18, Unified Development Ordinance; all of the Overland Park Municipal Code which regulates construction on land within the City; and

WHEREAS, it is desirable to establish fees to offset the costs in administering said Titles 13, 15, 16, and 18 caused by the processing of applications, review of plans, and inspections; and

WHEREAS, it is established by ordinance that fees shall be determined by resolution of the Governing Body for application of permits.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE  
CITY OF OVERLAND PARK, KANSAS:

The following fees are established based on the descriptions listed below. Where specific descriptions are not listed, the code official shall determine the appropriate category for determining the permit fee. All fees will be rounded to the nearest dollar.

GROUP I. Building Permit Fees. The permit fee shall be based on the valuation of the work multiplied by the permit fee multiplier. The permit fee multiplier shall be established once each calendar year by dividing Building Safety's budget by the previous years' construction cost. This figure is then multiplied by a cost recovery percentage factor:

$$\frac{\text{Building Safety Division Budget} \times (\% \text{ of Cost Recovery})}{\text{Previous Years' Construction Cost}}$$

The percentage of cost recovery factor for 2007 shall be 70%, the 2008 percentage factor shall be 75% and for the year 2009, the percentage factor shall be 80%. These increases will take effect on July 1st of each year. The valuation of work shall be the total value of all the construction work for which the building permit is issued, e.g. land disturbance, site development, building cost, all finish work, landscaping, painting, paving, electrical, plumbing, heating, air conditioning, elevators, fire protection equipment, and other pertinent work or equipment (except as specified in Overland Park Municipal Code 16.100.100). When the value of work is \$19,000 or less the permit fees shall be established as defined in Group II.

When construction documents have been submitted for review and approval as part of a permit application, 50% of the building permit fee shall be paid at the time the permit application is submitted; provided, however, that if the permit

application fee is governed by the flat fee provisions of Group II, there shall be a flat plan review fee of \$30 which shall be paid at the time the permit application is submitted, and the full amount of the flat building permit fee specified in Group II shall be paid in addition to said flat plan review fee, for a total plan review and permit fee of \$60 for work valued at \$1-\$5,000 and \$80 for work valued at \$5,001-\$19,000.

GROUP II. Permit Fees: Permit fees for worked valued at \$19,000 or less shall be established by the following table:

<u>Value of Work</u>	<u>Fee</u>
\$1-\$5,000	\$30
\$5,001-\$19,000	\$50

Change of Contractors - when a project is taken over by a different contractor, a new permit is required. The fee is calculated on the valuation of the remaining work.

GROUP III. Moving permits – The fee for moving a building of 200 square feet or more upon, across, or over any highway, street, or alley as prescribed in Section 16.100.105.3.9 of the Overland Park Municipal Code shall be \$500.

GROUP IV. Septic Tank Permits - The fee for septic tank permits shall be \$150.

GROUP V. Floodplain Development Permits - Work within the floodplain requires approval of a floodplain development permit prior to the issuance of any other permits. The fee for floodplain development permits is \$15.

GROUP VI. Right-of-way Permits - The schedule of fees for Right-of-way permits is adopted as per Attachment A to this Resolution.

GROUP VII. Code Board of Appeals' Variance Fees - The fee for application to the Code Board of Appeals shall be \$250.

GROUP VIII. Public Improvement Permit Fees – Fees for Public Improvements Permits shall be 3 percent (3%) of the bond amount set forth in Title 13 for the construction of the improvements set forth therein. Effective January 1, 2007, this fee shall be increased to 4 percent (4%) of the bond amount. Effective January 1, 2008, this fee shall be further increased to 5 percent (5%) of the bond amount.

GROUP IX. General Land Disturbance Permits for Utilities – An annual fee of \$500 payable at time of renewal for reviewing proposed erosion control methods and onsite erosion control inspections.

## GROUP X. Miscellaneous Fees

- A. Late Permit Fees - Where work for which any permit is required by Title 16 of the Overland Park Municipal Code is started prior to obtaining the permit, the fee specified for such permit shall be doubled. This provision shall not be construed as permission to begin work without the required permit except in case of an emergency.
- B. Elevator Certificate Fees - A \$30 fee shall be assessed annually for each piece of equipment upon third-party certification.
- C. Reinspection Fees - A reinspection fee of \$50 shall be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete, when corrections called for are not made, permit card is not properly posted on the work site, the approved plans are not readily available to the inspector, for failure to provide access for the inspection requested or for deviating from plans requiring the approval of the building official. No additional inspections will be made until all outstanding reinspection fees have been paid.
- D. Inspections Outside Normal Business Hours - The fee shall be \$75 per hour with a minimum of two hours. The fee must be prepaid (The inspection fee may be waived for not-for-profit organizations when the Special Event Permit fee has been waived.)
- E. Temporary Certificates of Occupancy – There will be no charge for the first Temporary Certificate of Occupancy. Renewals of Temporary Certificates of Occupancy will be \$300 for residential permits and \$500 for commercial permits.

## GROUP XI. Refunds

- A. Permit Fees - No refunds will be issued for permits that have become invalid as specified in the building code.

When no work has been commenced, refunds shall be the full value of the permit less \$30 for processing the refund.

Abandoned or Suspended Projects - No refunds will be issued for projects which have been partially completed, abandoned or suspended.

- B. Right-of-way Permits - No refunds will be issued for Right-of-way permits.
- C. Elevator Certificates - No refunds will be issued for elevator certificate fees.

- D. Underground Storage Tanks/Product Lines - No refunds of annual fees will be issued for storage tanks/product lines.
- E. Code Board of Appeals' Variance Fees - No refunds of variance fees will be issued.
- F. Public Improvement Permit Fees – No refunds of public improvement permit fees will be issued for amounts less than \$100.

RESOLUTION NO. 3712 is hereby rescinded.

ADOPTED by the Governing Body this \_\_\_\_ day of December, 2010.

\_\_\_\_\_  
Mayor, Carl Gerlach

ATTEST:

\_\_\_\_\_  
Marian Cook  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Bart Budetti  
Senior Assistant City Attorney

# **ATTACHMENT A**

## **SCHEDULE OF FEES RIGHT-OF-WAY PERMITS**

## **Schedule of Right-of-way Fees**

- (1) Permit and Inspection Fee:
  - (a) Fifty (\$50) Dollars – driveway replacement, irrigation system installation and residential/commercial plumbing connections
  - (b) Sixty-five (\$65) Dollars – utility repair work
  - (c) Eighty-five (\$85) Dollars – new utility construction
  
- (2) Excavation Fee (Applicable to street cuts): Equal to the cost per square yard for streets, overlays and sealcoats x Depreciation Rate x Area of Influence. This will be calculated by the City Engineer based on the information provided in the permit application. (see Appendix for details on calculation of excavation costs)
  
- (3) Double Permit and Inspection Fee: Permit and Inspection Fee shall double if a ROW-user is found to have worked or is working in the public right-of-way without first having obtained a permit. Emergency excavations shall be exempt from this double fee provision.



## Example

### Using 40-Year Street Design Standard Quivira Road at 117th Street

Assumptions: Street is 13 years old

Overlay is 6 years old

Area of cut = 4 feet x 5 feet

Area of influence = 9 feet x 10 feet = 90 square feet  
= 10 square yards

	<u>Cost per Square Yard</u>	<u>Depreciation Rate</u>	<u>Area of Influence</u>	<u>Excavation Cost</u>
Street	\$55.00	77.00%	10	\$423.00
Overlay	12.00	40.00%	10	<u>48.00</u>
			Total Cost	\$471.00