

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Table 1A of Section 20.08.090 of the Lincoln  
 2 Municipal Code relating to Building Code Permit Fees to include the \$50.00 base fee applied to  
 3 every commercial project regardless of the valuation of construction; and repealing Section  
 4 20.08.090 of the Lincoln Municipal Code as hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 20.08.090 of the Lincoln Municipal Code be amended to  
 7 read as follows:

8 **20.08.090 Section 109.3 Amended; Permit Fees.**

9 Section 109.3 of the International Building Code is amended to read as follows:

10 **109.3 Permit fees.** The fee for each permit shall be as set forth in Table 1A and Table 1B  
 11 below:

12 **TABLE 1A -- BUILDING PERMIT FEES**

Total Valuation	Fee
\$0 to and including <u>\$1,000</u>	<u>\$50.00</u> <del>\$8.00</del> per \$1,000 value
<u>\$1,001 to and including \$10,000</u>	<u>\$50.00 for the first \$1,000, plus \$8.00 for each additional \$1,000 value and fraction thereof, to and including \$10,000</u>
\$10,001 to \$25,000	<u>\$122.00 for the first \$10,000, plus \$5.00 per for each \$1,000 value and fraction thereof, to and including \$25,000</u>
Over \$25,000	<u>\$197.00 for the first \$25,000, plus \$2.00 per for each \$1,000 value and fraction thereof, over \$25,000</u>
Reinspection fee (wrong address, work does not pass inspection, work not complete, etc.)	\$50.00

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**TABLE 1B -- MISCELLANEOUS FEES**

<b>Permit</b>	<b>Fee</b>
Cell Tower	\$250.00 in addition to building permit fee
Co-location	\$100.00 in addition to building permit fee if structural review by outside consultant is required
Occupancy	\$30.00 per permit; \$10.00 per copy
Demolition	Residential - \$200.00 Commercial - \$250.00 plus \$.01 per sq. ft. Garages - \$30.00
Fire Damage Investigation	\$100.00 in addition to building or demolition permit fee
Building Damage Investigation	\$100.00 in addition to building or demolition permit fee
Expedited Plan Review	100% of plan review fee, with a minimum of \$300.00 and a maximum of \$6,000.00
Extension of Active Building Permit Application	10% of plan review fee
Reinstatement of Expired Permit	100% of plan review fee

The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment. The building official may determine valuation by applying the ICC valuation or other recognized method of estimating building construction project cost.

The value or valuation used by the building official in computing the building permit and plan review fees is only an estimate and is not intended to be used as conclusive evidence of the actual value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment for purposes of determining whether said value exceeds a certain percentage of the fair market value of the building in question.

**109.3.1 Plan review fees.** When a plan or other data are required to be submitted by Section 107.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. Plan review fees shall also cover zoning, special permit, use permit, or planned unit development reviews. Said plan review fee shall be an amount equal to 65% of the building permit fee as shown in Table 1A above, or \$100.00 whichever is greater, for commercial buildings, accessory buildings and apartments.

1 The plan review fees in this subsection are separate from and in addition to the permit fees  
2 specified in Section 109.3 and shall not be credited to the total building permit fee if such permit is  
3 issued. There shall be no refund for plan review after any plan review has been completed by the  
4 Department of Building and Safety, even if the application is withdrawn.

5 One additional plan review of corrections made on the original plans after the initial plan  
6 review shall be performed at no cost to the applicant; however, where plans require further  
7 corrections, are incomplete, or are changed necessitating additional plan review, an additional plan  
8 review fee shall be charged at the rate of 10% of the total permit fee or \$50.00, whichever is greater,  
9 for each additional review. Shell and limited permit applications will be subject to additional plan  
10 review fees as specified in this section.

11 Limited permit reviews will be subject to an additional plan review fee at the rate of twenty  
12 percent of the total building permit fee or \$100.00, whichever is greater.

13 If plans are revised or changed to the extent a complete review is required, an additional plan  
14 review fee shall be charged at the full plan review rate.

15 **109.3.1.1 Fee for work commencing before permit issuance.** When construction  
16 begins before the permit has been issued, the applicant shall pay an investigation fee. This fee for  
17 work commencing before permit issuance shall be equal to the amount of the permit fee and shall  
18 be applied after one or more inspections have been made to verify that work requiring a permit has  
19 been performed without a plan review and inspection during construction.

20 No additional fee shall be added if the work is of an emergency nature where a delay  
21 in performing the work may cause a risk of life or health or will significantly increase the risk of  
22 property damage, provided a permit is applied for within 48 hours of the start of the work, in which  
23 case the permit application fee shall be assessed.

24 **109.3.2 Fair Housing Act Plan Review & Inspection Fees.** A fee of \$30.00 shall  
25 be assessed for each dwelling unit in a multi-family building for review and inspection regarding  
26 the Fair Housing Act based on Federal and State Laws.

27 **109.3.3 Flood plain development fees.**

28 **109.3.3.1** A fee shall be assessed for any development permit applied for under  
29 Lincoln Municipal Code Chapters 27.52 and 27.53 and shall be paid at the time of application  
30 therefor. The fee for each permit shall be as follows:

31 **Flood Plain Development Permit Fees**

32	Flood Plain Permit	15% of Building Fee (\$250.00 Minimum)
33	Flood Plain - All other Development (roads, trails, pipelines& levees)	\$250.00
34	Flood Plain Permit – Fill	\$250.00
35		+ \$50.00 per acre (\$2,500.00 Maximum)
36	Flood Plain – Mobile Home Placement	\$50.00
37	Floodplain – Accessory Buildings	\$50.00
38	Flood Plain – Residential	
39	Non-substantial Improvement	\$100.00
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1                   **109.3.3.2** In those cases where a development permit is required for a structure, but  
2 a building permit is not required, the value of construction as determined by Section 108.3 of the  
3 Lincoln Building Code shall be used to calculate the development permit fee.

4                   **109.3.3.3** Any work requiring a development permit commenced prior to the  
5 issuance of the permit shall result in the assessment of an investigation fee in accordance with  
6 Section 109.4 of the Lincoln Building Code, which investigation fee shall be in addition to the  
7 development permit fee.

8                   **109.3.3.4** The building official may refund not more than two-thirds (2/3) of the  
9 development permit fee when an application for which such fee has been paid is withdrawn or  
10 canceled prior to commencement of plan review.

11                   **109.3.3.5 Expiration.** Permit application and permits shall expire in accordance  
12 with Section 105.

13                   Section 2. That Section 20.08.090 of the Lincoln Municipal Code as hitherto existing  
14 be and the same is hereby repealed.

15                   Section 3. That this ordinance shall take effect and be in force from and after passage  
16 and publication in one issue of a daily or weekly newspaper of general circulation in the City,  
17 according to law.

Introduced by:

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Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2011:

\_\_\_\_\_  
Mayor