

ARTICLE 3. FEES

9-301

(a) GENERAL. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the County of Miami County, Kansas.

(1) SEVERABILITY. It is hereby declared the intention of the Board of County Commissioners that the Articles, Sections, paragraphs, sentences, clauses and phrases contained within these Regulations are to be severable, and should any Article, Section or provision of these regulations be declared unconstitutional or otherwise ruled to be invalid by any court of competent jurisdiction in a valid judgment or decree, then such decision or ruling shall not affect the validity of the Regulations as a whole or any part of them other than the specific part declared to be unconstitutional or ruled to be invalid.

(b) PERMIT FEES. The fee for each permit shall be as set forth in this Section. Where a code has been adopted by the County of Miami County, Kansas for which no fee schedule is shown in this code, the fee required shall be in accordance with the schedule established by the Board of County Commissioners of the County of Miami County, Kansas.

The determination of value or valuation under any of the provisions of these codes shall be made by the code official. Value or valuation, as applied to a building and/or its building service equipment for the purpose of establishing permit fees, shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs as established by the Building Valuation Data Unit Cost Table provided in Exhibit 1 of this Article or any other method deemed acceptable by the code official. The Building Valuation Data Unit Cost Table shall be revised annually to reflect the rate of inflation established by the U.S. Department of Labor, Bureau of Labor Statistics in the annual December to December Consumer Price Index (CPI).

The basis to be used in computing the building permit and building plan review fees shall be as set forth in Tables 1-A and the fee schedule for work or services specified in Table 1-B.

All fees shall be rounded off to the next whole dollar amount. Fees may be waived at the discretion of the code official during times of declared emergency.

(c) Plan Review Fees. When submittal documents are required by the Miami County Building Code, a plan review fee shall be paid at the time of submitting the submittal documents for plans review. Said plan

review fee shall be the amount established by Table 1-B of this document. The code official may waive the plan review fee if it is determined that the work being performed is minor in nature and can be approved during field inspection of the work being performed.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in the Miami County Building Code, additional plan review and permit fees may be charged.

(d) Work commencing before permit issuance. Whenever work for which a permit is required by the Miami County Building Code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

(1) Investigation fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Tables 1-A and the fee schedule for work or services specified in Table 1-B. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of any building code or regulation that has been adopted by Miami County nor from the penalty prescribed by law.

EXCEPTIONS;

- 1) In cases of emergency, the person or other entity doing the work or causing work to be done may proceed with the work and file application for a permit within 72 hours after commencement of emergency work. Emergency shall be considered to exist only in those situations wherein life, health and safety would be adversely affected if work were not commenced immediately, and the burden shall be upon the person claiming such emergency to exist to prove the existence of such emergency by clear and convincing evidence.
- 2) In cases where the work is being done at a one-family dwelling by the person who owns and occupies such dwelling and application for permit is made within 3 working days (72 hours) following notification that such work requires a permit the investigation fee may be waived by the code official.

(2) Compliance of work performed prior to issuance of permit. The person responsible for the work that was completed

prior to a building permit being issued shall be responsible to provide access for inspection of all work requiring inspection by the Miami County Building Code or shall be responsible at their expense to retain the services of a licensed professional to verify that the work that was performed prior to the issuance of a permit is in full compliance with the provisions of all applicable codes and ordinances of Miami County in a manner acceptable to the code official.

(e) Re-inspection fees. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete, when corrections called for are not made, when approved plans are not provided for inspections or when access is not provided when inspections have been requested.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the Miami County Building Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed for the following conditions;

- (1) When work for which an inspection was requested by the permittee or an agent of the permittee is not ready for inspection;
- (2) when corrections called for are not made;
- (3) failure to provide access on the date for which inspection is requested;
- (4) failure to provide the approved plans for the job when required for inspection purposes;
- (5) for deviating from approved plans requiring the approval of the code official;
- (6) for failure to post the address or identify the premises resulting in an inspector being unable to find the location of the requested inspection.

To obtain a re-inspection when a re-inspection fee has been assessed, the applicant shall pay the re-inspection fee in accordance with the fee schedule adopted by this jurisdiction. In instances where re-inspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid. Work requiring approval shall not be concealed until approval has been obtained.

(f) Refunds. The code official may authorize refunding of a fee that was erroneously paid or collected.

The code official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a

permit issued in accordance with this code. The code official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

(g) Related fees. The payment of the fee for the construction, alteration, removal or demolition of work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

(h) Unpaid fees. Unpaid fees that have been assessed and remain unpaid at the completion of a project, shall be reported to the County Clerk and the County Clerk shall, at the time of certifying other County taxes, certify the unpaid fees and extend the same on the County's tax role.

**TABLE 1-A
MIAMI COUNTY, KANSAS
PERMIT FEE SCHEDULE**

Includes all buildings and building service equipment

Total Valuation	Fee
\$ 1.00 to 500.00	\$23.50
\$501.00 to \$ 2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00 or fraction thereof

EXCEPTIONS to TABLE 1-A:

- a) The fee for agricultural buildings as defined by the Miami County Building Code shall be \$0.04 per square foot of building area. Electrical, plumbing or mechanical permit fees associated with agricultural buildings shall be based upon the valuation of the work being performed or other provisions of this code.

Exception a) to Table 1-A was amended by Resolution R02-03-021, March 4, 2002

- b) The fee for manufactured homes shall be based upon one-half the valuation required of a new site constructed building.

Exceptions to Table 1-A were amended by Resolution R02-03-021, March 4, 2002

**TABLE 1-B
SECHEDULE FOR OTHER SERVICES**

1) Partial and supplemental permit fees

- a) **Partial permits** **\$50.00 minimum**
When a permit for the construction of part of a building, structure, or building service equipment is requested by the applicant, fees shall be determined in accordance with Section 101.2 of this code based on the valuation of work to be performed as separate permit fees and not as supplemental permits.
- b) **Supplemental permits**..... **\$35.00 minimum**
The fee for a supplementary permit to cover any additional value of work not included in the original permit shall be based upon the valuation of the work that was not included in the original permit.

- c) Operational Permits. \$100.00**
For an Operational Permit to allow an applicant to conduct a business or operation for which a permit is required by Section 105.6 of the International Fire Code.

Exception: There shall be no fee required for an open burning operational permit.

- d) Permit Extensions.**

The fee for a permit extension as allowed by Section 105.5.1 of the International Building Code shall be subject to the fee specified by Table 1-A based upon the valuation of work remaining to be completed as determined by the code official based upon an evaluation inspection.

- 2) Plan review fees.** Plan review fees required by Section 101.3 of this code shall be as follows;

- a) Single Family Dwellings \$50.00**
The plan review for single family dwellings may be waived by the code official if the plans and specifications for a single family dwelling have been sealed by an Architect or Engineer that is Registered by the State of Kansas.

- b) Commercial and Industrial ...** 25 percent of the permit fee required by Table 107-A

- c) Additional plan review \$50.00 per hour**
When additional plan review is required due to changes, revisions or additions to approved plans. The required fee shall be calculated on a per hour basis with a minimum one-half hour charge assessed.

- d) For use of outside consultants Actual cost****

- e) Re-submittal plan review fees. \$50.00 per hour**
When previously identified deficiencies remain uncorrected on subsequent submittals, a re-submittal plan review fee shall be paid. The required fee shall be calculated on a per hour basis with a minimum one-half hour charge assessed.

- f) Stamping of additional sets of plans..... \$25.00 per hour**
One set of approved plans shall be provided to the applicant upon permit issuance. Stamping of additional sets of plans at the applicant's request shall be assessed the specified fee. The required fee shall be calculated on per hour basis with a minimum one-half hour charge assessed.

- g) Re-review and stamping of lost plans \$25.00 per hour**
Re-review and stamping of lost plans to replace an applicants approved field set of plans shall be assessed the required fee. The required fee shall be calculated on a per hour basis with a minimum one-half hour charge assessed.

- 3) Re-inspection fees. \$50.00 per hour**
Re-inspection fees assessed under provisions of Section 101.5 of this code. There shall be a minimum one-hour charge assessed.

- 4) Inspections outside of normal business hours..... \$50.00 per hour**
There shall be a minimum charge of two (2) hours.
- 5) Other Inspections and Administration..... \$50.00 per hour**
Inspections for which no fee is specifically indicated. There shall be a minimum charge of two (2) hours. The actual cost to the County shall be assessed for the use of outside consultants for inspections or testing.
- a) Administrative costs \$25.00 per hour**
Costs associated with the administration of files associated with the abatement of nuisance or dangerous building violations.
- 6) Temporary Certificate of Occupancy**
- a) For the first temporary certificate of occupancy No Charge**
- b) Each additional temporary certificate of occupancy..... \$50.00**
For each additional temporary certificate of occupancy required to extend the time period required to complete construction
- 7) Certificate of Occupancy..... \$150.00**
Where a Certificate of Occupancy is required for a change of occupancy or for reasons other than in connection with work that is authorized by a building permit.
- 8) Code Modification Requests..... \$50.00* per hour**
Code modification requests submitted pursuant to Section 104.10 of the International Building Code. The required fee is based upon the time required to research the request and determine if the request is acceptable. The required fee shall be calculated on a per hour basis with a minimum one-half hour charge being assessed.
- 9) Sign Permits**
- To and including the 25 square feet of sign area or fraction thereof **\$50.00**
Each additional 25 square feet of sign area or fraction thereof **\$20.00**
- 10) Temporary Permits**
- Permits for Temporary Construction Offices **\$250.00**
Temporary Hardship Manufactured Home **\$150.00**
- 11) Moved Buildings and Demolition**
- a) Pre-move Evaluation \$150.00**
Fees for foundation construction repair, alteration, improvement or addition to a moved building after the placement on a new site shall be charged based upon the valuation of the work and in accordance with the fee required by Table 1-A.
- b) Demolition**
- Single Family Dwellings..... **\$50.00**
Agricultural and Detached Accessory Structures..... **\$0.00**

All other uses — Based upon 10% of valuation for new construction of building with same occupancy group and type of construction.

Item 11 of Table 1-B of the Miami County Permit Fee Schedule was amended by Resolution R02-03-021, March 4, 2002

12) Fees For Reproduction of Plans and Documents

Fee charged per page reproduced. Fee includes all material, equipment and administrative costs.

8.5 X 11-----	\$0.50
8.5 X 14-----	\$0.75
11 X 17-----	\$1.00
24 Wide-----	\$3.00
36 Wide-----	\$5.00

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

** Actual costs include administrative costs.

13) Unit Fees for Installation of Building Service Equipment not associated with a permit for new construction in Single Family Dwellings, single family accessory buildings and agricultural buildings.

Item 13 of the Miami County Permit Fee Schedule was added by Resolution R02-03-021, March 4, 2002

a) Electrical Services

Up to two hundred ampere	\$50.00
Up to four hundred ampere.....	\$75.00
Exceeding four hundred ampere.....	Based upon Installation Cost

The unit fee specified may be used to establish permit fees for new electrical equipment in residential accessory and agricultural buildings.

b) New HVAC and water heater installations

Furnace.....	\$50.00
Water heater	\$50.00
Central Air conditioning unit	\$50.00
Replacement of existing Furnaces, Water Heaters or Central Air Conditioning Units serving a Single Family Dwelling	\$25.00

Combination of any two or more appliances\$50 for the First Appliance plus \$25 for each additional appliance.
The unit fee specified may be used to establish permit fees for new fixtures in residential accessory and agricultural buildings.

- c) New Plumbing fixture installations.
 - Any single fixture \$50.00
 - Each additional fixture..... \$15.00
 - Underground water piping with hydrant \$35.00

The unit fee specified may be used to establish permit fees for new fixtures in residential accessory and agricultural buildings.

- d) Single Family Swimming Pools.
 - In-ground \$200.00
 - Above-ground \$100.00

- e) Decks and porches.
 - Decks or porchs \$25.00
 - Roof Structure Covering Porch or Deck..... \$25.00

- f) Re-roofing of Residential Use Buildings \$25.00

EXHIBIT 1 - BUILDING VALUATION DATA UNIT COSTS (2007)

Occupancy and Use	Type of Construction						
	1 or 2 FR	2-A	2-B	3-A	3-B	5-A	5-B
New Dwellings	n/a	n/a	n/a	n/a	n/a	n/a	84.41
Unfinished Basements	n/a	n/a	n/a	n/a	n/a	n/a	16.17
Finished Basements	n/a	n/a	n/a	n/a	n/a	n/a	21.20
Garages (attached or detached)	n/a	n/a	n/a	n/a	n/a	n/a	22.20
Detached Accessory Buildings	n/a	n/a	n/a	n/a	n/a	n/a	11.00
Apartment Houses	109.20	109.20	99.20	88.70	n/a	88.70	92.40
Type 1 Basement Garage	37.40	n/a	n/a	n/a	n/a	n/a	n/a
Auditoriums	104.80	75.90	71.80	75.70	76.30	76.30	71.20
Banks	148.10	109.10	105.60	120.40	116.10	109.10	104.50
Bowling Alleys	n/a	51.00	47.60	55.50	51.90	37.40	n/a
Churches	99.20	74.50	70.80	81.00	77.40	75.70	71.20
Convalescent Hospitals	139.20	96.60	n/a	99.00	n/a	93.30	n/a
Fire Stations	114.40	75.30	71.00	82.40	78.90	77.30	73.30
Homes for the Elderly	103.70	84.20	80.60	87.70	84.10	84.70	81.80
Hospitals	163.20	n/a	n/a	135.10	n/a	128.90	n/a
Hotels and Motels	101.00	n/a	n/a	87.50	83.40	76.20	74.70
Industrial Plants	56.90	39.60	36.40	43.60	41.10	41.10	37.60
Jails	159.10	n/a	n/a	145.50	n/a	109.10	n/a
Libraries	116.40	85.20	81.00	90.00	85.50	84.50	81.00
Medical Offices	119.50	92.20	87.60	100.00	93.10	90.20	87.00
Offices	106.80	71.50	68.10	77.20	73.80	72.30	68.10
Public Buildings	123.40	100.00	95.60	103.80	100.20	95.00	91.60
Public Garages	48.90	36.70	28.00	37.00	32.90	33.70	n/a
Restaurants	n/a	n/a	n/a	97.40	94.10	89.20	85.70
Schools	111.20	75.90	n/a	81.20	78.10	76.10	72.60
Service Stations	n/a	n/a	67.20	70.10	n/a	59.70	n/a
Canopies							28.00
Stores	82.40	50.40	49.30	61.30	57.50	51.60	47.70
Theaters	109.80	n/a	n/a	80.00	76.20	75.30	71.20
Warehouses	49.40	29.30	27.50	33.20	31.60	29.30	27.50
Sprinkler Systems all occupancies							
2.60							