

Ordinance 624-02

AN ORDINANCE AMENDING CHAPTER 112 (FEES) OF THE CODE OF THE MUNICIPALITY OF MURRYSVILLE TO PROVIDE FOR ESTABLISHING A CONTRACTOR LICENSING FEE AND FEES FOR INSPECTIONS CONDUCTED UNDER THE PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE. THE AMENDMENT ALSO PROPOSES TO CHANGE THE METHOD FOR CALCULATING BUILDING PERMIT FEES FOR NON-RESIDENTIAL CONSTRUCTION; INCREASE THE FEE FOR SEWAGE PERMITS; INCREASE THE FEE FOR “NO-LIEN” LETTERS; AND ESTABLISH A FEE FOR THE ISSUANCE OF BURNING PERMITS.

Chapter 112, FEES

§ 112-1. Building permits.

Fees listed below for building permits are based on costs associated for routine scheduled inspections during regular municipal working hours and review by the municipal staff. In the event that permitting and inspection activity requires the hiring of outside consultants and/or is conducted by contracted consultants, these additional costs shall be assessed per § 112-4 of this chapter.

A. Residential, single-family and multifamily.

- (1) The minimum fee shall be \$70 if a structural review is required.
- (2) Permit fee schedule:
 - (a) A fee of \$0.15 per square foot.
 - (b) Additional review time beyond 1/2 hour will be charged at the rate of \$70 per hour.
- (3) For purposes of calculating the gross square footage area, all basements and garages shall be included.

B. Residential, accessory buildings.

- (1) The minimum fee shall be \$15 for up to 200 square feet.
- (2) All accessory buildings with gross square footage over 200 square feet shall be paid at a rate of \$0.12 per square foot.

C. Farm accessory structures.

- (1) A filing fee of \$25 shall constitute the total fee required, provided that the following criteria are met. If all of the criteria cannot be met, then said structure shall pay fees in accord with Subsection D of this section.
- (2) Criteria for farm accessory structure permit:
 - (a) Presentation of Schedule F of the Internal Revenue Service forms for filing of tax returns.
 - (b) Proof that the operation is a family-run enterprise pursuing the raising of crops on applicant-owned land and the raising of animals such as dairy cows, beef cattle and domesticated fowl.
 - (c) Proof that the operation is not actively involved in boarding any animal, providing riding or training services and that all animals on the premises are owned by the applicant's family.

D. Non-residential structures (including structures accessory to a non-residential uses)– The fee for all commercial and commercial accessory structures shall be based upon the value of the construction of said structure. The permit fee shall be based upon documentation of construction costs as listed in the construction contract. A fee of six dollars (\$6.00) per one thousand dollars (\$1,000.00) of value of the construction contract shall be paid prior to the issuance of any building permit.

E. Land operations fees. These fees amend and replace fees included in § 124-15 of the Code of the Municipality of Murrysville.

(1) Permit. The permit fee shall be paid based upon quantity of material handled or land area involved for each job site, even though the same material may be handled in more than one type of operation. Fees listed below for land operation permits are based on costs associated for routine scheduled inspections during regular municipal working hours and review by the municipal staff. In the event that permitting and inspection activity requires the hiring of outside consultants and/or is conducted by contracted consultants, those additional costs shall be assessed per § 112-4 of this chapter.

(2) The amount of fee for the issuance of the permit shall be in accordance with the following table:

(a) Land reclamation project: \$500 per year or fraction thereof.

(b) Based on quantity of material, totaled through each range up to that applicable:

[1] Five hundred one cubic yards to 1,000 cubic yards: \$75.

[2] Over 1,001 cubic yards: \$0.03 per yard, plus \$75.

F. Other fees.

(1) Residential occupancy permit: \$18 per unit.

(2) Commercial occupancy permit:

(a) Change in use or new tenant: \$65 per unit.

(b) All occupancies and uses existing prior to the enactment of this chapter: \$25 per unit.

(3) Zoning certificate: \$18 per unit.

(4) Sign permit: \$45. All nonprofit organizations shall be exempt from fees for any signs relative to activities supporting their organization or those of any nonprofit organization.

(5) Blasting permits: \$250 for the first day of blasting, plus \$50 for each additional day of blasting. The costs of the hiring of specialists to inspect activities, as required, shall be invoiced to the applicant.

(6) Soliciting:

(a) Soliciting in general:

[1] Per day: \$12.

[2] Per week: \$30.

[3] Per month: \$60.

[4] Renewal of monthly permit (consecutive months): \$25 per month.

(b) Nonprofit organizations:

[1] For organizations with headquarters or branches located within the Municipality of Murrysville: fee waived.

[2] For organizations without headquarters or branches located within the Municipality of Murrysville: a maximum charge of \$25 per year, or less, prorated for an

applicable shorter time period. The fee applies to the organization, not the number of solicitors.

- (7) Refuse hauling permit: \$50 per truck per year.
- (8) Alarm systems. The fee for maintenance within the Municipal Building for an alarm system shall be \$100 per year or prorated on the months of service. Additionally, a fee of \$25 will be charged for every false alarm after the second and subsequent occurrence in any three-month period. "False alarm" is receiving an alarm via receiver in the Municipal Building, by automatic dialers on telephone systems or by telephone notice from a security firm central office, either accidentally or for a nonemergency, which is not canceled within three minutes. An alarm canceled within three minutes is not considered a false alarm. Nothing contained in this section, however, shall obligate the Municipality to accept any such receiver on its premises. Such acceptance shall remain solely within the discretion of the municipal officials.
- (9) Swimming pools: \$40 each.
- (10) Storage for impounded vehicles: \$5 per day or actual costs when stored at an independent location.
- (11) Public display of fireworks permit: \$35. This fee does not apply to permits issued to nonprofit and civic groups sponsoring public displays of fireworks.
- (12) 5 year burning permit: \$10.00
- (13) Municipal no-lien letters: \$25.00.

G. Sewage facilities. The following fees shall be charged for carrying out the provisions of the Sewage Facilities Act 537.EN

- (1) Profiles, soil test pits: \$25 per profile.
- (2) Percolation tests: \$60 each.
- (3) Application and permits (new systems):
 - (a) Application - \$100.
 - (b) Permit including **one site review**, three profiles and one percolation test: \$400.00
 - (c) Total permit issuance shall equal \$500.00
- (4) Repair permits:
 - (a) Without soil testing: \$35.
 - (b) With soil testing, including three profiles and one percolation test: \$200.
- (5) In the event that the Municipality is required to subcontract to a private firm to perform services and testing related to the issuance of a septic permit, the applicant shall be invoiced for the actual costs of those services performed by the Sewage Enforcement Officer (SEO) for that firm.

H. Copies. The fees for copies of the following shall be as indicated.

- (1) Subdivision Ordinance: \$15 per copy.
- (2) Zoning Ordinance: \$25 per copy.
- (3) Construction standards: \$5 per copy.
- (4) Large municipal maps: \$15 per copy.
- (5) Small municipal maps: \$5 per copy.
- (6) Geographic Information System Maps (small): \$3 per 8.5 by 11 sheet.
- (7) Geographic Information System Maps (large): \$15 per plotter generated sheet.
- (8) Zoning map (large): \$15 per copy.
- (9) Other ordinances: \$0.25 per page.
- (10) Copies of municipal records: \$0.25 per page.

- (11) Letter of certification: \$5 per copy.
 - (12) All police reports, including accident reports: \$15 per copy.
 - (13) Accident reconstruction reports: at actual cost.
 - (14) Mailing and handling of above items: actual first-class postage costs, plus \$2 in handling costs.
 - (15) Copies of large subdivision plans and site plans: actual costs of photocopy, per invoice, plus a handling fee of \$2.
- I. Recreation facilities fees:
- (1) The following fees shall be charged for the rental of picnic pavilions:
 - (a) Nonresidents of the Municipality of Murrysville:
 - [1] Pavilions (Monday through Sunday): \$50.
 - [2] A ten-dollar electric fee shall be added for requests for pavilions with electricity.
 - (b) Residents of the Municipality of Murrysville:
 - [1] Pavilion (Monday through Sunday): \$25.
 - [2] A ten-dollar electric fee shall be added for requests for pavilions with electricity.
 - (2) The following fees shall be charged for rentals of gazebos: \$15.
 - (3) There shall be a refundable deposit of \$25 required for the rental of all parks facilities.
 - (4) An exemption from the pavilion fees is granted to the Franklin Regional School District, the Discovery Program and the Adult School Program when used for educational programs and activities.
 - (5) Community Center fees:
 - (a) Rental rates, Main Room, Room B & C and Kitchen Combination: \$16 per hour.
 - (b) Main Room which includes kitchen: \$11 per hour.
 - (c) Medium room: \$5 per hour.
 - (d) Room B: \$2.50 per hour.
 - (e) Room C: \$2.50 per hour.
 - (f) Overnight stays: no charge from 11:00 p.m. until 8:00 a.m. for those persons who rent the facility in connection with other contiguous rental time frames of at least three hours. For persons or organizations wishing to rent the facility overnight after 11:00 p.m. and before 8:00 a.m. will be charged a flat fee of \$30.
 - (g) Security deposit: \$50 per rental.
 - (h) Rates included in this chapter for Community Center rentals shall not apply to persons or organizations that have previously entered agreements with the Municipality for rentals through August 31, 2001. For these parties, the existing fee structure shall apply until the above date. All agreements for rentals after September 1, 2001, with those with previous agreements shall be assessed at the above rates.
 - (6) Other recreation program fees: Fees will be established by the Recreation Director that reflect actual expenses in running the respective programs.
- J. Personnel costs: The following fees shall be charged for work performed by the Public Works Department upon special request and/or as a result of emergency repair work. All hours shall be charged at minimum intervals of 15 minutes. Work shall be charged at rates defined by the current employee contract and or salary ordinance, plus benefits.
- (1) Equipment fees.

Fee

Equipment (per hour)

Hilift front end loader \$84, plus operator wages

Backhoe \$63, plus operator wages

10-ton dump truck \$68

1-ton dump truck \$37

Miscellaneous hand tools \$26

(2) All materials will be at actual cost.

§ 112-2. Zoning and land development fees.

A. Zoning district change or amendment to text. The fee for a zoning district change or amendment to the Zoning Ordinance proposed by other than a public body shall be \$600. The fees listed above will cover a Stage One review that provides the applicant with one Planning Commission meeting, one Planning Commission Public Hearing, one Council public hearing and two Council meetings. Applications that require additional review meetings will be assessed additional fees, as described in § 112-4 of this chapter.

B. Zoning Hearing Board appeal. The fee payable with an appeal of any nature to the Zoning Hearing Board (ZHB) by other than a public body shall be as indicated:

(1) Variance to construct an accessory structure; addition to existing residential unit or change in nonconforming use: \$200.

(2) Special exceptions and all home occupations: \$150.

(3) Other residential variances: \$200.

(4) Variance to construct a residential unit: \$250.

(5) Variance for commercial property: \$300.

(6) Use variance: \$600.

(7) Other variances not included above: \$200.

(8) Appeal of a determination of the Zoning Officer: \$500.

(9) Curative amendment: \$800.

(10) Continuance of a ZHB hearing requested by applicant: \$150.

C. Conditional use application. The fees listed below will cover a Stage One review that provides the applicant with one Planning Commission meeting, one Planning Commission public hearing, one Council public hearing and two Council meetings. Applications that require additional review meetings will be assessed additional fees, as described in § 112-4 of this chapter.

(1) Major excavation or mineral removal or steep slope/poor soils: \$300.

(2) Major excavation or mineral removal and steep slope/poor soils: \$500.

(3) Transition district conditional use: \$250, plus \$0.04 per square foot of building area of proposed use.

(4) Other commercial conditional uses: \$200, plus costs of site plan and land development review (see Subsection D).

(5) Other residential conditional uses: \$200, plus costs of subdivision.

D. Land development site plan.

(1) The fees listed below will cover a Stage One review that provides for one Planning Commission meeting and two Council meetings. Applications that require additional review meetings will be assessed additional fees, as described in § 112-4 of this chapter.

- (a) A fee of \$400 for the first acre or part thereof of total disturbed area.
- (b) A fee of \$275 for the second acre or part thereof of total disturbed area.
- (c) A fee of \$175 per acre or part thereof over two acres of total disturbed area.

(2) Anyone submitting concept plans for an advisory review will not be required to pay a land development site plan fee.

E. Uniform Construction Code Administrative Fees

(1). The fee payable with an appeal of any nature to the Board of Appeals shall be \$200.00.

(2). Licensing of Contractors – The fee for a contractors license shall be \$75.00

F. Subdivisions.

(1) Preliminary plans (for plans with six or more lots): an application fee of \$100, plus \$25 per lot for the first 20 lots and \$12 per lot for each additional lot over 20. The fees listed above will cover a Stage One review that provides the applicant with one Planning Commission meeting, one Planning Commission public hearing and two Council meetings. Applications that require additional review meetings will be assessed additional fees, as described in § 112-4 of this chapter.

(2) Final plans and construction drawings (for plans that gained preliminary approval): an application fee of \$100, plus \$15 per lot. The fees listed above will cover a Stage One review that provides the applicant with one Planning Commission meeting and two Council meetings. Applications that require additional review meetings will be assessed additional fees, as described in § 112-4 of this chapter.

(3) Final plans and construction drawings (for plans not needing preliminary approval): The fees listed below will cover a Stage One review that provides the applicant with one Planning Commission meeting, and two Council meetings. Applications that require additional review meetings will be assessed additional fees, as described in § 112-4 of this chapter.

(a) Lot line revision (two or three lots): \$110.

(b) Two-lot subdivision: \$175.

(c) Each additional lot: \$55.

(4) Reapproval of subdivision by Council (after ninety-day-period expiration): \$150.

(5) Revision of approved subdivision or site plan (Council action): \$250.

§ 112-3. Road encroachment and highway occupancy fees.

The fees charged for road encroachment and highway occupancy shall be as follows:

A. Permit issuance fee. To defray incurred municipal costs in reviewing and processing of the applications and plans, the Municipality has adopted the most current Pennsylvania Department of Transportation Schedule of Fees for the following items:

(1) Utility. There will be a fifteen-dollar charge added to the issuance fee for all utility occupancy permits.

(2) Driveways.

(a) Minimum use (e.g., single-family or not more than a five-unit dwelling).

(b) Low volume (e.g., office buildings, car washes).

(c) Medium volume (e.g., restaurants, gas stations, small shopping plaza).

- (d) High volume (e.g., shopping centers, multibuilding dwelling units or office complexes).
- (3) Other (e.g., bank removal, sidewalk or curb work).
- (4) Supplemental fee for each six-month time extension or each submitted change.
- (5) Each emergency permit card.
- B. General permit inspection fee. To defray incurred municipal cost in ongoing spot inspection(s) and subsequent inspection(s) after permitted work is completed to ensure compliance with municipal regulations, the Municipality has adopted the most current Pennsylvania Department of Transportation Schedule of Fees for the following items:
 - (1) Driveways.
 - (a) Each minimum-use driveway.
 - (b) Each low-volume driveway.
 - (c) Each medium-volume driveway.
 - (d) Each high-volume driveway.
 - (2) Underground facilities (e.g., pipe lines, buried cable, conduit, manholes, headwalls, inlets, etc.). Calculated on total linear feet of the facility.
 - (a) Opening in pavement.
 - (b) Opening in shoulder.
 - (c) Opening outside pavement and shoulder
 - (3) Aboveground facilities (e.g., poles, guys, anchors).
 - (a) Up to 10 physically connected facility, each group.
 - (b) Additional aboveground physically connected facilities, each pole with appurtenances.
 - (4) Crossings. Overhead conveyors, etc., or undergrade tunnels.
 - (5) Seismograph-vibrocis method (e.g., prospecting for gas).
 - (a) First mile.
 - (b) Each additional mile or fraction.
- C. Exemptions. Permit issuance fees and general permit inspection fees are not payable by any of the following:
 - (1) Any department of the state or national government.
 - (2) Other political subdivisions of this commonwealth.
 - (3) Municipality authorities or franchises for:
 - (a) Installation of facilities at the request of the Municipality.
 - (b) Replacement or renewal of their facilities prior to a municipal resurfacing project after notice from the Municipality.
 - (4) Aboveground utility facility owners, cable television owners:
 - (a) Removal of poles or attached appurtenances.
 - (b) Moving facilities at the request of the Municipality or State Department of Transportation.
 - (c) Reconstructing or maintaining their facilities which occupy private rights-of-way.
 - (5) Public carriers (e.g., railroads) under the jurisdiction of the Public Utility Commission.

§ 112-4. Extraordinary costs for permits, inspections and planning and zoning reviews.

When in the course of enforcing or complying with the provisions of requirements of this Code for building permits, land operations permits, conditional use applications, zoning map amendments, subdivisions and land developments, any costs that are incurred

by the Municipality for inspection(s), testing and/or report(s), additional meetings or review beyond those that are indicated in the respective sections of this chapter for each of the above-mentioned applications, shall be invoiced to the applicant for the same and amount shall be rendered within 30 days of receipt of such invoice.

A. Building permits and land operations permits.

(1) The applicant shall be charged for any required inspection requested by the applicant on days and hours other than Monday through Friday, 8:00 a.m. to 5:00 p.m. The fee charged to the applicant in this case shall be the actual costs to the Municipality including the hourly rate for overtime and benefits for the inspector(s) performing such duties.

(2) Required inspections in which less than 24 hours' notice is provided to the Municipality. These inspections shall be surcharged \$100 in addition to any other required fees and surcharges.

(3) If the Municipality determines that the permitted work is of sufficient magnitude to warrant assignment of one or more employees, or contracted specialists to inspect the work on a more than spot basis, or they need to perform additional field work or testing, the permittee shall be charged for all salary, overhead and expenses incurred by each assigned inspector of the Municipality or the actual billable costs of the contracted specialist(s).

B. Subdivisions, land developments, Zoning Map amendments and conditional use applications.

(1) If during the course of a review of a submitted application for subdivision, land development, Zoning Map amendment or conditional use application, additional meetings, beyond those indicated in the respective sections of this chapter for the above applications are needed or requested, this shall be classified as a Stage II review. The applicant shall be required to pay an additional \$50 per meeting, plus any other invoiceable costs, such as required newspaper legal notices and court stenographers.

(2) In the event that the applicant disputes the amount of any such review fees, the applicant shall, within 10 days of the billing date, notify the Municipality that such fees are disputed, in which case the Municipality shall not delay or disapprove a subdivision or land development application due to the applicant's notification of disputed review fees. In the event that the Municipality and the applicant cannot agree on the amount of the review fees which are reasonable and necessary, then the applicant and the Municipality shall follow the procedure for dispute resolution set forth in § 510(g) of the Pennsylvania Municipalities Planning Code, Act 247, as amended.