

ORDINANCE NO. 23-5()

AN ORDINANCE TO AMEND CHAPTER 5, BUILDING REGULATIONS, ARTICLE 2, FEES OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 5, Building Regulations, Article 2, Fees is hereby reordained and amended as follows:

By Amending:

- Sec. 5-200 Permit and inspection fees, generally
- Sec. 5-201 Fees for building permits
- Sec. 5-202 Fees for electrical permits
- Sec. 5-203 Fees for plumbing permits
- Sec. 5-204 Fees for mechanical permits
- Sec. 5-206 Fees for demolition permits
- Sec. 5-207 Fees for zoning inspections
- Sec. 5-208 Fees for other building services; and technology surcharge

By Removing:

- Sec. 5-209 Refunds

**Chapter 5. Building Regulations
Article 2. Fees**

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Sec. 5-200 - Permit and inspection fees, generally.

An owner or other person is required to ~~must~~ pay the fees for a permit or inspection required by the Building Code or this chapter as follows:

A. *Basis for fee.* Any fee paid is to reimburse, in whole or in part, the Department of Community Development's cost to review plans, issue permits, and conduct up to one reinspection of work performed pursuant to a permit.

B. *Amount.* The amount of the fees are as provided in ~~this article.~~ **County Code Chapter 1, Article 5.**

~~C. *When the fee must be paid.* Any fee must be paid at the time any application or request is filed. An application or request shall may not be filed if the required fee is not paid.~~

~~D. *Form of payment accepted.* The fee must be paid in cash, by a check payable to the "County of Albemarle," or by any other means accepted by the County, provided that the County may add to any amount due the amount charged to the County for accepting any payment by a means that incurs a charge to the County or the amount negotiated and agreed to in a contract with the County, whichever is less.~~

~~E. *County and County School Board excepted.* The County and the County School Board are not required to pay any fee imposed by this article.~~

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; § 5-200, Ord. 98-A(1), 8-5-98; Ord. 08-5(1) , 8-6-08; Ord. 18-5(1) , 3-14-18)

State Law reference— Va. Code § 36-105 .

Sec. 5-201 - Fees for building permits.

The fees for building permits are: **as provided in County Code Chapter 1, Article 5.**

~~A. Residential structures in use groups R-3 and R-5. The fee for each new structure in use group R-3 or R-5 (one- and two-family dwellings), other than a garage, deck, or porch, or for an addition to an existing residential structure in either use group, is \$0.58 per square foot, calculated on gross finished square footage. The minimum fee is \$88.00.~~

~~B. Accessory residential structures. The fee for each residential attached garage, detached garage, shed, deck, or porch ten square feet or larger, is \$0.18 per square foot, calculated on gross finished square footage. The minimum fee is \$30.00.~~

~~C. Residential swimming pools, hot tubs and spas. The fee for each residential swimming pool, hot tub, or spa is \$60.00.~~

~~D. Mobile homes and prefabricated homes. The fee for each mobile home or prefabricated home is \$53.00.~~

~~E. New commercial structures in various use groups. The fee for each new structure in use group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, or U, or an addition to an existing commercial structure in any such use group, is \$0.24 per square foot for the first 5,000 square feet, plus \$0.17 per square foot for each square foot in excess of 5,000 square feet, calculated on gross square footage. The minimum fee is \$88.00.~~

~~F. of building occupancy classification. The fee for a change of occupancy classification evaluation is \$177.00.~~

~~G. Commercial swimming pools. The fee for each commercial swimming pool is \$361.00.~~

~~H. Elevators, escalators and lifts. The fee for each elevator, escalator, or lift is \$284.00.~~

~~I. Paint spraying booths. The fee for each paint spraying booth is \$30.00.~~

~~J. Mobile offices and premanufactured units. The fee for each mobile office or premanufactured unit is \$53.00.~~

~~K. Tents. The fee for each tent is \$60.00.~~

~~L. and repairs of structures in all use groups. The fee for an alteration or repair of a structure in any use group is \$0.20 per square foot of floor area affected, provided that there is no increase in gross square footage. The minimum fee is \$88.00.~~

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; § 5-201, Ord. 98-A(1), 8-5-98; Ord. 08-5(1) , 8-6-08; Ord. 15-5(1) , adopted 10-14-15, effective 11-1-15; Ord. 18-5(1) , 3-14-18; Ord. 21-5(1) , 4-21-21, effective 7-1-21)

State Law reference— Va. Code § 36-105.

Sec. 5-202 - Fees for electrical permits.

The fees for electrical permits are: as provided in County Code Chapter 1, Article 5.

- ~~A. Residential structures in use groups R-3 and R-5. The fee for each new structure in use group R-3 or R-5 (one- and two-family dwellings) other than a garage, deck, or porch, or for an addition to an existing residential structure in either such use group, is included as part of the building permit fee under County Code § 5-201(A).~~
 - ~~B. Accessory residential structures. The fee for each residential attached garage, detached garage, shed, deck, or porch ten square feet or larger, is \$35.00.~~
 - ~~C. Mobile homes and prefabricated homes. The fee for each mobile home or prefabricated home is \$35.00.~~
 - ~~D. Commercial structures in various use groups. The fee for each new structure in use group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, or U, or an addition to an existing commercial structure in any such use group, is \$0.04 per square foot. The minimum fee is \$88.00.~~
 - ~~E. Swimming pools, hot tubs and spas. The bonding fee for each swimming pool, hot tub, or spa is \$35.00. The equipment wiring fee for each swimming pool, hot tub, or spa is \$35.00.~~
 - ~~F. Alterations and repairs of structures in all use groups. The fee for an alteration or repair of a structure in any use group is \$0.04 per square foot of floor area affected, provided that there is no increase in gross square footage. The minimum fee is \$88.00.~~
 - ~~G. Signs. The fee for each sign is \$53.00.~~
 - ~~H. Temporary service. The fee for each temporary electric service is \$112.00, unless the service is sought as part of a building permit for which a fee is paid under County Code § 5-201(A).~~
 - ~~I. Early service. The fee for each early electric service shall be \$72.00, unless the service is sought as part of a building permit for which a fee is paid under County Code § 5-201(A).~~
 - ~~J. Fuel dispensing pumps. The fee for each fuel dispensing pump is \$35.00.~~
 - ~~K. Alarm systems. The fee for each alarm system is \$0.04 per square foot of the gross square footage of the structure. The minimum fee is \$88.00.~~
- (§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 6-95; Code 1988, § 5-3; § 5-202, Ord. 98-A(1), 8-5-98; Ord. 08-5(1) , 8-6-08; Ord. 15-5(1) , adopted 10-14-15, effective 11-1-15; Ord. 18-5(1) , 3-14-18; Ord. 21-5(1) , 4-21-21, effective 7-1-21)
- State Law reference— Va. Code § 36-105.

Sec. 5-203 - Fees for plumbing permits.

The fees for plumbing permits are: as provided in County Code Chapter 1, Article 5.

- ~~A. Residential structures in use groups R-3 and R-5. The fee for each new structure in use group R-3 or R-5 (one- and two-family dwellings), or for an~~

~~addition to an existing residential structure in either use group, is included as part of the building permit fee under County Code § 5-201(A).~~

~~B. Mobile homes and prefabricated homes. The fee for each mobile home or prefabricated home is \$35.00.~~

~~C. Commercial structures in various use groups. The fee for each new structure in use group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, U, or an addition to an existing commercial structure in any use group, is \$10.00 per fixture. The minimum fee is \$88.00.~~

~~D. Alterations and repairs of structures in all use groups. The fee for an alteration or repair of a structure in any use group is \$10.00 per fixture, provided that there is no increase in gross square footage. The minimum fee is \$88.00.~~

~~E. Water lines. The fee for each water line is \$30.00, unless the lines are included as part of a building permit for which a fee is paid under County Code § 5-201(A).~~

~~F. Sewer laterals. The fee for each sewer lateral is \$30.00, unless the lateral is included as part of a building permit for which a fee is paid under County Code § 5-201(A).~~

~~G. Fire suppression systems. The fee for each fire suppression system is \$0.95 per head. The minimum fee is \$88.00.~~

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; § 5-203, Ord. 98-A(1), 8-5-98; Ord. 08-5(1) , 8-6-08; Ord. 15-5(1) , adopted 10-14-15, effective 11-1-15; Ord. 18-5(1) , 3-14-18; Ord. 21-5(1) , 4-21-21, effective 7-1-21)

State Law reference— Va. Code § 36-105.

Sec. 5-204 - Fees for mechanical permits.

The fees for mechanical permits are: **as provided in County Code Chapter 1, Article 5.**

~~A. Residential structures in use groups R-3 and R-5. The fee for each new structure in use group R-3 or R-5 (one- and two-family dwellings), or for an addition to an existing residential structure in either use group, is included as part of the building permit fee under County Code § 5-201(A).~~

~~B. Mobile homes and prefabricated homes. The fee for each mobile home or prefabricated home is \$35.00.~~

~~C. Commercial structures in various use groups. The fee for each new structure in use group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, or U, or an addition to an existing commercial structure in any use group, is \$0.04 per square foot of gross square footage. The minimum fee is \$88.00.~~

~~D. Alterations and repairs of structures in all use groups. The fee for an alteration or repair of a structure in any use group shall be \$0.04 per square foot of gross square footage, provided that there is no increase in gross square footage. The minimum fee is \$88.00.~~

~~E. Underground tanks. The fee for each underground tank, including associated piping, is \$201.00, unless the tanks are included as part of a building permit for which a fee is paid under County Code § 5-201(A).~~

~~F. Aboveground tanks. The fee for each aboveground tank, including associated piping, is \$119.00, unless the tanks are included as part of a building permit for which a fee is paid under County Code § 5-201(A).~~

~~G. Gas and oil lines. The fee for each gas or oil line is \$42.00, unless the lines are included as part of a building permit for which a fee is paid under County Code § 5-201(A).~~

~~H. Furnaces, wood stoves and gas log systems. The fee for each furnace, wood stove, or gas log system is \$77.00, unless the furnace, stove, or gas log system is included as part of a building permit for which a fee is paid under County Code § 5-201(A).~~

~~I. Range hoods. The fee for each range hood is \$30.00.~~

~~J. Hood suppression systems. The fee for each hood suppression system is \$35.00.~~

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; § 5-204, Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08; Ord. 15-5(1), adopted 10-14-15, effective 11-1-15; Ord. 18-5(1), 3-14-18; Ord. 21-5(1), 4-21-21, effective 7-1-21)

State Law reference— Va. Code § 36-105.

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Sec. 5-206 - Fees for demolition permits.

The fee for each demolition permit is ~~\$112.00.~~ **as provided in County Code Chapter 1, Article 5.**

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; § 5-206, Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08; Ord. 15-5(1), adopted 10-14-15, effective 11-1-15; Ord. 18-5(1), 3-14-18; Ord. 21-5(1), 4-21-21, effective 7-1-21)

State Law reference— Va. Code § 36-105.

Sec. 5-207 - Fees for zoning inspections.

The fees for inspections to determine compliance with the zoning ordinance are: **as provided in County Code Chapter 1, Article 5.**

~~A. Initial zoning inspection. The fee for each inspection related to the issuance of a building permit for main or accessory structures is \$18.00 per inspection.~~

~~B. Final site inspection. The fee for each final site inspection before a certificate of occupancy may be issued is \$18.00 per inspection.~~

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; § 5-207, Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08; Ord. 15-5(1), adopted 10-14-15, effective 11-1-15; Ord. 18-5(1), 3-14-18; Ord. 21-5(1), 4-21-21, effective 7-1-21)

State Law reference— Va. Code § 36-105.

Sec. 5-208 - Fees for other building services; and technology surcharge.

The fees for other building services are: as provided in County Code Chapter 1, Article 5.

- ~~A. Other permits: The fees for any other building, electrical, plumbing, or mechanical permit not identified in this article is \$35.00 per inspection.~~
 - ~~B. Plan amendments: The fee for each new plan submitted which requires any structural or fire safety review is \$35.00.~~
 - ~~C. Reinspections: The fee for each inspection of work performed, after the second inspection of the work, is \$35.00 per inspection.~~
 - ~~D. Plan review fee - commercial building permits: \$0.04 per square foot, for structures under 5,000 gross square feet - \$16.00 minimum; \$0.03 per square foot for structures greater than or equal to 5,000 gross square feet - \$16.00 minimum.~~
 - ~~E. Plan review fee - commercial electrical permits: \$0.01 per gross square foot; \$16.00 minimum.~~
 - ~~F. Plan review fee - commercial plumbing permits: \$1.80 per fixture; \$16.00 minimum.~~
 - ~~G. Plan review fee - commercial mechanical permits: \$0.01 per gross square foot; \$16.00 minimum.~~
 - ~~H. Plan review fee - residential building permits: \$0.05 per square foot; \$8.00 minimum.~~
 - ~~I. Plan review fee - residential electrical permits: \$0.05 per square foot; \$8.00 minimum.~~
 - ~~J. Plan review fee - residential plumbing permits: \$0.05 per square foot; \$8.00 minimum.~~
 - ~~K. Plan review fee - residential mechanical permits: \$0.05 per square foot; \$8.00 minimum.~~
 - ~~L. Plan review fee - fire suppression/alarm plan: \$0.02 per square foot; \$75.00 minimum.~~
 - ~~M. Request for permit extension: \$74.00.~~
 - ~~N. Commercial temporary certificate of occupancy: \$150.00 for each 30 days.~~
 - ~~O. Addition or change in contractor or mechanic's lien agent after permit is issued: \$34.00.~~
 - ~~P. Elevator certificate: \$100.00 per elevator.~~
 - ~~Q. Code modification request: \$250.00; no refund allowed.~~
 - ~~R. Group home/daycare/adultcare form, with no inspection: \$74.00.~~
 - ~~S. Administrative fee for working without a permit: \$250.00.~~
 - ~~T. Technology surcharge: An additional four percent of each fee in County Code §§ 5-201 through 5-208(S).~~
- (§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; § 5-208, Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08; Ord. 15-5(1), adopted 10-14-15, effective 11-1-15; Ord. 18-5(1), 3-14-18; Ord. 21-5(1), 4-21-21, effective 7-1-21)

State Law reference— Va. Code § 36-105.

Sec. 5-209 - Refunds.

~~A. A fee paid pursuant to this article may be refunded as follows:~~

~~B. *Written request by owner; timing.* An owner shall submit a written request for a refund to the Building Official. The request must be received by the Building Official within six months after either of the events identified in subsection (B).~~

~~C. *Events entitling owner to a refund.* An owner is entitled to a refund under the following circumstances:~~

~~2. *Permit application withdrawn or voided.* If a permit application is withdrawn or voided after the plan is reviewed, in whole or in part, but before the work authorized by the permit begins, the owner shall be refunded an amount not to exceed 80 percent of the original fee. The amount of the refund shall be the original fee minus the costs for plan review and administration. *Permit expired, abandoned, or revoked; work discontinued.* If an issued permit is expired, abandoned, or revoked, or if the work authorized by the permit is discontinued, the owner shall be refunded an amount of the original fee which corresponds to the percentage of the work not completed, minus plan review and administrative fees and penalties.~~

~~D. *Plan review and administrative fees.* For the purpose of calculating a refund, the plan review and administrative fees shall be at least 20 percent of the original fee.~~

~~(§ 5-3; 10-18-73; § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; § 5-209, Ord. 98-A(1), 8-5-98; Ord. 18-5(1), 3-14-18)~~
~~State Law reference — Va. Code § 36-105.~~

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on_____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	_____	_____
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Price	_____	_____