

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, MAY 22, 2018

ORDINANCE 052218-8 IMPOSING OR INCREASING CERTAIN FEES FOR SERVICES FOR DEVELOPMENT AND INSPECTIONS, PLANNING AND ZONING, AND REPEALING PRIOR ACTIONS CONCERNING SAME

WHEREAS, the Board has found that it is both equitable and efficient to ensure that those individuals who benefit from certain governmental services bear the cost thereof while eliminating unintentional general service cost subsidies; and

WHEREAS, Section 15.2-2241. A (9) of the Code of Virginia (1950), as amended, authorizes localities to impose reasonable fees and charges for the review of plats and plans and the inspection of facilities; and

WHEREAS, Section 15.2-2286 A (6) of the Code of Virginia (1950), as amended, authorizes the collection of fees to cover the costs of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of a zoning ordinance or to the filing or processing of any appeal or amendment thereto; and

WHEREAS, in 1990, by Ordinance 61290-6, the Board established certain fees for public services provided by and through the Roanoke County Department of Development and Inspections (which is now the Department of Community Development) relating to development services rendered for and on behalf of citizens; and

WHEREAS, since 1990, such fees have remained the same; they have not increased in response to increases in the County's costs to provide such services; and

WHEREAS, other miscellaneous fees related to services provided by the Department of Community Development are set forth in the Roanoke County Code; and

WHEREAS, the Department of Community Development recommends that the following fees that have previously been approved by this Board be increased:

1. Erosion and sediment control fees,
2. Site plan review fees,
3. Large subdivision review fees,
4. Certificate of occupancy fees for commercial or residential planned unit development, and
5. Special use permit fee; and

WHEREAS, the Department of Community Development further recommends the imposition of the following new fees:

1. Certificate of occupancy fee for residential development,
2. Permit renewal fee (for erosion and sediment control, commercial site plan and/or large subdivision development): this renewal fee will be imposed upon the second renewal of the permit and for each subsequent annual renewal; there will be no fee for the first twelve (12) month renewal of a permit, and
3. Zoning verification fee: this fee will cover the cost of preparing a zoning verification letter (a document that informs property owners, lenders, and prospective buyers of zoning laws related to a particular property based on the County's current zoning ordinance and past history of the site),
4. Commonwealth Building Code Academy fee: pursuant to Sections 36-137(7) and 36-105 of the Code of Virginia, (in which the Commonwealth of Virginia imposes a levy of 2% of permit fees collected by the County to support training programs of the Building Code Academy), the Department of Community Development further proposes to impose an additional 2% fee on the issuance of all building,

plumbing, electrical and mechanical permits (for remittance to the Commonwealth). The County has been paying this levy to the Commonwealth, but has not been collecting it from its applicants (which has decreased the funds available to the County to cover costs), and

5. Technology fee: pursuant to Section 36-105 of the Code of Virginia, it is proposed that an additional technology fee in the amount of 3% (of all permit issuing fees), be imposed upon every transaction processed by the Roanoke County Department of Community Development (which may include County development services and County planning and zoning services), related to applications for development, rezoning, construction, etc. The fees collected will be used to partially cover costs of County's computer programming and equipment used to process applications and projects; and

WHEREAS, Section 15.2-107 of the Code of Virginia (1950), as amended, directs the advertising, public hearing, and enactment of certain fees and levies, said requirements having been satisfied as required by law; and

WHEREAS, the first reading and public hearing of this ordinance was held on May 8, 2018, and the second reading was held on May 22, 2018.

NOW THEREFORE BE IT ORDAINED by the Roanoke County Board of Supervisors as follows:

1. That Chapter 8.1 (Erosion and Sediment Control), Section 8.1-8(c) of the County Code is hereby amended to read and provide as follows:

Section 8.1-8. - Permits; fees; surety; etc.

(c) Fees. An applicant requesting permission to begin land-disturbing activity pursuant to this article shall pay the following fees to cover the administrative expense of review, permitting, and inspection.

Disturbed Area (Square Feet)	Fee
Less than 5,000	\$25.00
5,000 – 9,999	\$50.00
10,000 – or greater	\$100.00 + \$100.00 per disturbed acre, or portion of an acre \$350.00 + \$75.00 per disturbed acre

2. That the Chapter 7 (Building Regulations), Section 7-73 of the County Code is hereby amended to read and provide as follows:

Section 7-73 Miscellaneous fees

There is hereby established the following schedule of miscellaneous fees:

Reinspection on construction: \$50.00 (applies on third re-inspection of same item)

Certificate of occupancy:

Commercial: ~~\$25.00~~ \$50.00

Temporary—single-family: \$10.00

Temporary—commercial: \$25.00

Existing building CO: \$35.00

Elevator periodic inspection: \$35.00

Amusement devices:

Kiddie rides: \$15.00

Circular rides or flat rides that can be inspected from less than 20 feet above ground: \$25.00

All other types of devices: \$45.00

Amusement device fees reduced fifty (50) percent when a private inspector is used.

3. That there are hereby established certain fees for public services provided by and through the Roanoke County Department of Community Development:

Review site plans	\$755 (flat fee) + an additional \$75 per acre + the Virginia storm-water management permit fee (hereafter "VSMP", a fee which is set and charged by the Commonwealth of Virginia and administered by the County)
Review large subdivisions	\$350 + \$75 per lot + VSMP
Application for special use permit	\$150
Issuance of a certificate of occupancy for a residential building	\$25
Second and subsequent renewals of annual permits (for erosion and sediment control, site plan and/ or large subdivision development); there will be no fee for the first twelve (12) month renewal of a permit.	\$750 + VSMP (if applicable)
Zoning verification fee	\$50
Building Code Academy fee (for remittance to the Commonwealth)	2% fee on all permit issuing fees (to be imposed upon every transaction processed by the Roanoke County Department of Community Development (which may include County development services and County planning services), related to applications for development, rezoning, construction, etc.
Technology fee	3% fee on all permit issuing fees (to be imposed upon every transaction processed by the Roanoke County Department of Community Development (which may include County development services and County planning services), related to applications for development, rezoning, construction, etc.

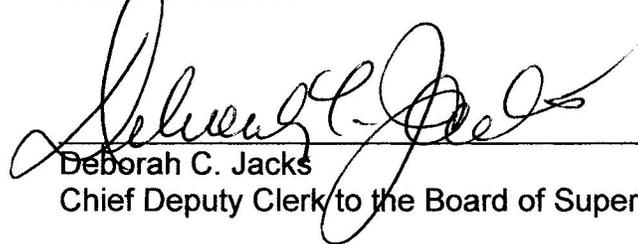
4. To the extent that provisions of any prior ordinances of the County are in conflict with this ordinance, the conflicting provisions of such ordinances are superseded and repealed.
5. That the effective date of this ordinance and for the imposition of the fees and charges contained herein shall be July 1, 2018.

On motion of Supervisor Peters to adopt the ordinance, seconded by Supervisor North and carried by the following recorded vote:

AYES: Supervisors North, McNamara, Peters, Hooker

NAYS: Supervisor Assaid

A COPY TESTE:



Deborah C. Jacks
Chief Deputy Clerk to the Board of Supervisors

cc: Christopher Bever, Director of Management and Budget
Arnold Covey, Director of Community Development
Tarek Moneir, Deputy Director of Development
Philip Thompson, Deputy Director of Planning