

NOTICE

At a Regular Rochester Hills City Council Meeting held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Oakland County, Michigan on Monday, June 22, 2009:

Present: President Gregory Hooper, Members Erik Ambrozaitis, J. Martin Brennan, Vern Pixley, James Rosen, Michael Webber, Ravi Yalamanchi
 Absent: None **QUORUM PRESENT**

MOTION BY Yalamanchi, seconded by Pixley, **Resolved that Ordinance No. 534**, an ordinance to amend Sections 110-56 through 110-376 of Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify and supplement fees charged for various City Services and to repeal conflicting ordinances, **BE AND IS HEREBY ADOPTED** and shall become effective on Friday, July 3, 2009 the day following its publication in the *Rochester Post*.

Ayes: Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi
 Nays: None **MOTION CARRIED**

ORDINANCE NO. 534

AN ORDINANCE TO AMEND SECTIONS 110-56 THROUGH 110-376 OF CHAPTER 110, FEES, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO MODIFY AND SUPPLEMENT FEES CHARGED FOR VARIOUS CITY SERVICES, AND TO REPEAL CONFLICTING ORDINANCES.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Sections 110-56 through 110-376 of Chapter 110 of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

Sec. 110-56. Review and inspection fees for grading plan.

The review and inspection fees for the grading plan as provided in section 114-57 shall be as follows:

TABLE INSET:

			Building Department	Engineering Department	<u>Total Building Department</u>
(1)	Plot plan review and inspection:				
	a.	Single-family unit:			

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		With master grading and drainage plan	\$10.00	\$190.00	\$200.00 <u>252.00</u>
		Without master grading and drainage plan	10.00	205.00	215.00 <u>271.00</u>
		Surcharge for third and each additional review	—	50.00	50.00 <u>\$75.00</u>
	b.	Multiple per building	20.00	170.00	190.00 <u>240.00</u>
	c.	Additions (garages, pools)	5.00	50.00	55.00 <u>69.00</u>
(2)	Reinspection:				
	a.	Single-family units	—	35.00	35.00 <u>\$75.00</u>
	b.	Multiple, per building	—	35.00	35.00 <u>\$75.00</u>
	c.	Additions	—	8.00	8.00 <u>\$75.00</u>
(3)	Floodplains:				
	a.	Predetermined floodplain			No charge
	b.	Floodplain determination			200.00 <u>252.00</u>
	c.	Initial field inspection			75.00
(4)	<u>Steep Slope Analysis:</u>				
	<u>a.</u>	<u>Planning Department</u>			<u>\$75.00/hr.</u>
	<u>b.</u>	<u>Building Department</u>			<u>\$75.00/hr.</u>
	<u>c.</u>	<u>Department of Public Service</u>			<u>\$75.00/hr.</u>
	<u>d.</u>	<u>Fire Department</u>			<u>\$75.00/hr.</u>

Sec. 110-86-Sec. 110-87. *No change.*

Sec. 110-88. **Administrative charge.**

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~~Fifteen~~**Twenty (20%)** percent of the total fees due under this division shall be added as a city administrative fee, but not less than \$75.00.

Sec. 110-141. Division of land.

- (a) Fees to be charged pursuant to section 122-29 shall be as follows:
 - (1) For a land division resulting in two newly created parcels, the fee shall be a minimum of ~~\$40.00-\$200~~ plus an additional charge of \$10.00 for any additional newly created parcels thereafter.
 - (2) For a private road, the fee shall be in the amount of \$250.00, plus \$10.00 per description, plus an engineering fee of \$300.00, plus a fee of \$30.00 per acre or fraction thereof.
 - (3) In addition, when there is a necessity for a public hearing, a fee of \$300.00 shall be paid by the applicant to the planning department.
- (b) All fees shall be paid at the time an application for division or partition of land is submitted.

Sec. 110-171. Subdivision plan and plat reviews.

Fees for the review of preliminary and final plats and open space plans and the other requirement of article III of chapter 122, such as the cost of street trees, shall be calculated to defray the administration, planning, engineering and legal expenses incurred thereby. All fees and charges must be paid at the time indicated in this article. The fees shall be as follows for the following departments and reviews:

- (1) *Building department.*
 - a. Charge for each review, ~~\$60.00~~**\$75.00** per hour.
 - 1. Minimum escrow deposit prior to review, \$250.00.
- (2) *Department of public service.*
 - a. Prepreliminary: minimum fee of \$800.00 up to ten acres plus \$75.00 per acre or fraction thereof up to a maximum fee of \$2,500.00.
 - b. Tentative-preliminary: minimum fee of \$950.00 up to ten acres plus \$95.00 per acre or fraction thereof up to a maximum fee of \$3,500.00.
 - c. Final-preliminary: minimum fee of \$500.00 up to ten acres plus \$45.00 per acre or fraction thereof up to a maximum fee of \$1,800.00.
 - d. Final plat: minimum fee of \$1,800.00 plus \$95.00 per acre or fraction thereof.
- (3) *Planning department.*

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- a. Concept review:
 - 1. First meeting: no fee.
 - 2. Second and each additional meeting: \$250.00.
- b. Tentative-preliminary:
 - 1. Regular plan: \$900.00 plus \$10.00 per lot.
 - 2. Open space option: an additional \$500.00.
- c. Final-preliminary: \$600.00 plus \$10 per lot.
- d. Final plat: \$600.00 plus \$10.00 per lot.
- e. Internal review, consultation and/or field inspection:
 - 1. If service(s) conducted by city staff, service shall be charged at a rate of ~~\$60.00~~\$75.00 per hour.
 - 2. If outside consultants are employed to conduct planning reviews, consultations and/or inspections, the fee will be equivalent to the city's cost for such consultant services.

(4) Fire department. Charge for each review, \$75.00 per hour (one hour minimum).

~~(4)~~(5) *Administrative charges.* ~~Fifteen~~Twenty percent of the sum of the fees in subsections (1) through (3) of this section shall be an administrative fee. The minimum shall be ~~\$75.00~~100.00.

~~(5)~~(6) *Legal document review.*

- a. For the legal review of deeds, easements, restrictive covenants, maintenance agreements, or other legal documents, the applicant shall be charged a fee of \$115.00 per document.
- b. For legal review of resubmitted or revised documents, the applicant shall be charged an additional fee ~~based on~~corresponding to the city attorney's hourly rate charged to the city.

Sec. 110-172. *No change.*

Sec. 110-173. Sidewalk construction.

Fees for the review of construction plans and inspections for sidewalks shall be calculated according to the following schedule to defray costs incurred by the city to provide these services. The fees must be paid at the time of application or in advance of services provided:

- (1) *Application and permit fees.*

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- a. *Subdivision lot with land improvements.* The application and permit fee for a subdivision lot submitted with a land improvement permit application shall be \$80.00.
 - b. *Site without land improvements.* The application and permit fee per site for an application submitted without a land improvement permit application shall be \$80.00 plus \$0.50 per linear foot of sidewalk. The maximum fee under this subsection shall not exceed \$130.00.
- (2) *Bond.* At the time of application, a cash bond in the amount of \$1,000.00 shall be deposited with the city to guarantee the proper installation of the sidewalk and to cover the cost of repair of any damage caused to the sidewalk system. The bond shall be maintained until the later of the expiration of the land improvement permit or 18 months after the last sidewalk segment is completed.
- (3) *Inspection fees.*
- a. *Field inspection.* The fees in subsection (1) of this section shall include a field inspection of one hour or less.
 - b. *Additional or longer inspections.* Additional fees shall be charged for additional inspections or inspections of more than one hour at the inspection rate specified in subsection ~~110-172(e)~~110-171(1), pertaining to construction engineering services.
- (4) *Administrative charges.* An administrative charge shall be added to the fees prescribed in this section as set forth in section 110-205.

Sec. 110-201. Building department.

There shall be charges for and an escrow deposit made at the time of application for preliminary plan review for one-family residential detached condominiums, as provided in article IV of chapter 122, in an amount determined necessary by the planning department to pay for the cost of plan review by the city building department. The minimum escrow deposit shall be \$250.00. The city building department shall charge \$~~60.00~~75.00 per hour for its review.

Sec. 110-202 City attorney.

The fees for the city attorney connected with one-family residential detached condominiums shall be as follows:

- (1) For the legal review of deeds, easements, restrictive covenants, maintenance agreements, or other legal documents, the applicant shall be charged a fee ~~of \$115.00 per document~~corresponding to the city attorney's hourly rate.
- ~~(2) For legal review of resubmitted or revised documents, the applicant shall be charged an additional fee based on the city attorney's hourly rate charged to the city.~~

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Sec. 110-203. Public service department; city engineer.

The fees for the public service department and city engineer related to one-family residential detached condominiums shall be as follows:

- (1) Preliminary plan: minimum of \$950.00 up to ten acres plus \$95.00 per acre for each acre in excess of ten acres. The maximum charge shall be \$3,500.00.
- (2) Final plan: minimum of \$500.00 up to ten acres plus \$45.00 per acre for each acre in excess of ten acres. The maximum charge shall be \$1,800.00.
- (3) Master deed and exhibits: minimum of \$700.00 up to ten acres plus \$35.00 per acre (no maximum).

(4) Charge for Steep Slope analysis, if applicable. Charge will be applied to platted and unplatted parcels in accordance with Chapter 138-1082. Department of Public Services \$75.00/hr.

Sec. 110-204. Planning department.

Planning department fees for one-family residential detached condominiums shall be as follows:

- (1) Preliminary plan: \$900.00 plus \$10.00 per building site.
- (2) Final plan: \$600.00 plus \$10.00 per building site.
- (3) Master deed: \$500.00 for each review by city attorney.
- (4) Internal review, consultation and/or field inspection:
 - a. If service(s) conducted by city staff, service shall be charged at a rate of ~~\$60.00~~\$75.00 per hour.
 - b. If outside consultants are employed to conduct planning reviews, consultations and/or inspections, the fee will be equivalent to the city's cost for such consultant services.
 - c. Charge for Steep Slope analysis; if applicable. Charge will be applied to platted and unplatted parcels in accordance with Chapter 138-1082 Planning Department \$75.00/hr.
 - d. A down payment or escrow account may be required to cover anticipated services.

Sec. 110-205. No change.

Sec 110-206. Condominiums

Fire Department Review (per hour) \$75.00 [one-hour minimum]

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Sec. 110-256. *No change.*

Sec. 110-286. Planning department.

Planning department fees pertaining to tree removal permits as provided in article III of chapter 126 shall be as follows:

- (1) Escrow fee for plan review/inspections. There shall be an escrow account established for site plan/plat review and inspections. Escrow deposits are to be made at the time of application. Any additional consulting and/or administrative fees shall be paid prior to permit issuance or approval. The minimum escrow deposit shall be \$750.00.
- (2) Internal review, consultation and/or field inspection. If service(s) conducted by city staff, service shall be charged at a rate of ~~\$60.00~~\$75.00 per hour.
- (3) Consulting fee. When consulting personnel are employed for site plan/plat review, preconstruction meetings, and site inspections, their cost will be deducted from the escrow deposit. If costs exceed the escrowed amount, additional fees charged will be equivalent to the city's cost for such consulting service.
- (4) Administrative fee. ~~Fifteen~~Twenty (20%) percent of the sum of the fees in subsections (1), (2) and (3) of this section shall be an administrative fee.
- (5) Payment. All escrow fees are payable to the city at the time of application.

Sec. 110-287. Parks and forestry department.

(1) Parks & Forestry Department fees pertaining to Site Plan, Plats, Single-Family, and Site Condominium Review shall be as follows:

- (a) Hourly fee. . . . \$75.00/hr.
- (b) Minimum Escrow Deposit. . . . \$250.00

(2) Parks and forestry department fees pertaining to tree removal permits as provided in article III of chapter 126 shall be as follows:

- (1a) Minimum fee. A minimum fee of \$90.00 shall be paid at the time of submission of the plan.
- (2b) Additional costs. Costs exceeding the fee amount will be charged at a rate of ~~\$30.00~~\$75.00 per hour.
- (3c) Time of payment. The minimum fee shall be payable to the city at the time of application.

Sec. 110-316. Wetland and watercourse permits.

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(a) The fees for wetland and watercourse use permits pursuant to article IV of chapter 126 pertaining to wetland and watercourse protection shall be charged for the following:

- (1) Wetland and watercourse determination: consultant investigation and inspection.
- (2) Use permit: consultant plan review, investigation, and inspection.

(b) There shall be charges for and an escrow deposit made at the time of application to pay for the cost of city-retained consultants for investigation, plan review and inspection services, notice expense, and city administration costs shall be as follows:

- (1) For a parcel two acres in size or less: . . . \$500.00
- (2) For a parcel two acres to five acres in size: . . . \$1,000.00
- (3) For a parcel greater than five acres in size: . . . \$1,500.00

The administrative cost shall be an amount equal to ~~15~~Twenty (20%) percent of the total consultant charges or ~~\$75.00~~100.00, whichever is greater. The minimum escrow deposit shall be \$300.00.

Sec. 110-371. Building department.

The fees for building department reviews and inspections pursuant to article III of chapter 130 pertaining to unplatted land development shall be as follows:

- (1) Escrow deposit (site plan and plats), \$250.00.
- (2) Assessment for each review, ~~\$60.00~~\$75.00 per hour.
- (3) Steep Slope Analysis. . . \$75.00 per hour.

Sec. 110-372. Department of public service.

The fees for department of public service reviews and inspections pursuant to article III of chapter 130 pertaining to unplatted land development shall be as follows:

- (1) Site plans.
 - a. Up to ten acres, \$1,100.00.
 - b. Over ten acres, \$1,100.00 plus \$90.00 per acre or fraction thereof over ten acres.
 - c. Steep Slope Analysis.....\$75.00/hr.
- (2) Construction plan review fee. The review fee shall be based on the estimate, as determined by the department of public service, of the projected construction costs for retention/detention facilities, public or private roads, water mains, sanitary sewers, storm

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sewers and pathways. Charges for the first two reviews shall be based on the dollar amount of work to be done according to the following schedule:

TABLE INSET:

Construction Costs	Percentage	Minimum Fee
\$0.00 to \$50,000.00	3.75	\$ 750.00
\$50,000.00 to \$100,000.00	3.25	2,200.00
\$100,000.00 to \$1,000,000.00	1.75	3,750.00
Over \$1,000,000.00	1.25	18,750.00

In addition, there shall be an hourly surcharge for the third and each subsequent review, as set forth in subsection (4) of this section.

a. If consultant engineering personnel are used to conduct construction plan review, one-quarter (1/4) percent of the fee will be retained by the city.

(3) Off-site improvements. Charges for review shall be based on the dollar amount of the work to be done, according to the above schedule.

(4) Construction engineering services. Construction engineering services fees shall be as follows:

a. Review, consultation, inspection fees.

1. Per-hour charge, ~~\$63.00~~75.00.

2. There shall be a minimum four-hour charge for cancellations without prior notification to the city of ~~\$252.00~~300.00.

If consultant engineering personnel are employed to conduct construction consultations, and/or inspections, the fees will be equivalent to the city's cost for such consultant employment plus a 20-percent city administrative fee.

b. Escrow for services fees. There shall be an escrow account established for review, consultation, and inspection fees before work is commenced based on the construction contract amount according to the following schedule:

TABLE INSET:

Construction Contract Amount	Percentage Amount of Deposit	Minimum Fee
Up to \$50,000.00	10	\$2,300.00
\$50,000.00 to \$100,000.00	7	5,000.00

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Over \$100,000.00	5	7,000.00
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c. Private road escrow deposit. For private roads, there shall be an escrow deposit made based on the cost of grading, gravel, paving, curbing, shoulders and ditching according to the above schedule.

d. Administrative charges. Twenty percent of the sum of the fees or escrow deposits, as set forth in this subsection shall be added to such fees or deposits as an engineering administrative fee; however, such fee shall not be less than \$100.00.

Sec. 110-373. Planning department.

The fees for planning department reviews and inspections pursuant to article III of chapter 130 pertaining to unplatted land development shall be as follows:

- (1) Site plans.
 - a. Multifamily or cluster and mobile home parks, \$1,000.00 plus \$18.00 per unit.
 - b. Commercial, \$1,500.00 plus \$75.00 per acre.
 - c. Industrial, \$1,500.00 plus \$75.00 per acre.
 - d. Research office, \$1,500.00 plus \$75.00 per acre.
 - e. If service(s) conducted by city staff, service shall be charged at the rate of \$75.00 per hour.
- (2) Rezoning requests, \$750.00.
- (3) Special/conditional land uses, \$750.00.
- (4) Semipublic uses (schools, churches), \$1,500.00 plus \$475.00 per acre.
- (5) Extensions of approval (site plans and plats):
 - a. Administrative approval, \$250.00
 - b. Planning commission or city council approval, \$500.00 per meeting.
- (6) Landscape plan review.
 - a. Plan review escrow deposit, \$500.00 minimum.
 - b. Internal review, consultation and/or field inspection:
 - 1. If service(s) conducted by city staff, service shall be charged at a rate of ~~\$60.00~~\$75.00 per hour.

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- 2. If outside consultants are employed to conduct planning reviews, consultations and/or inspections, the fee will be equivalent to the city's cost for such consultant services.
- c. Landscape planting inspection fee. Landscape plan construction costs should be submitted to the city and include an itemized cost list for plant materials and mulch. Sod, fill dirt, topsoil, finished grading, and irrigation systems should not be included. All such estimates are subject to review and approval by the planning department. Revised landscape planting plans shall require the resubmittal of the landscape plan and recalculation of estimated planting costs. Additional review fees may be required ~~for subsequent~~ for subsequent resubmittal of plans.

Landscape Planting Costs	Percentage	Minimum Fee
\$0.00 to \$4,999.00		\$500.00
\$5,000 and greater*	3.00	\$500.00
*3 percent of amount greater than \$5,000 is in addition to minimum fee of \$500.00		

In addition, all inspections fees must be paid prior to issuance of a building permit.

(7) Brownfield Redevelopment Plan Review Fee, \$2,500.00 minimum to begin review process.

(8) For work not covered in the scale in this section, the rate of charge shall be the actual cost to the city for the service, plus an administrative fee of ~~15~~20 percent, with a minimum charge of ~~\$75.00~~100.00.

(9) For additions to existing facilities the per acre fee shall not apply.

(10) Charge for Steep Slope analysis, if applicable. Charge will be applied to platted and unplatted parcels in accordance with Chapter 138-1082.

Sec. 110-374. Legal documents review.

The fees for legal documents review pursuant to article III of chapter 130 pertaining to unplatted land development shall be as follows:

(1) For the legal review of deeds, easements, restrictive covenants, maintenance agreements, or other legal documents, the applicant shall be charged a fee of \$115.00 per document.

~~(2) For legal review of resubmitted or revised documents, the applicant shall be charged an additional fee based on the city attorney's hourly rate charged to the city.~~

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Sec. 110-375. *No change.*

Sec 110-376. Fire department.

The charge for each review by the fire department shall be \$75.00 per hour.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on Friday, July 3, 2009, following its publication in the *Rochester Post* on July 2, 2009.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on June 22, 2009.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof on June 22, 2009.

Jane Leslie, Clerk
City of Rochester Hills

Accepted for First Reading: 06/01/09
CW: 7/02/09